

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DeWAYNE WALKER, SR, KAREN	:	
WALKER, his wife, D.W., JR., minor	:	
child, and T.W., minor child,	:	
	:	
Plaintiffs,	:	C.A. No. 06-288***
	:	
v.	:	
	:	
THE CITY OF WILMINGTON, a political	:	
subdivision of the State of Delaware,	:	
DETECTIVE MICHAEL R. LAWSON, JR.,	:	
individually and in his official capacity, and	:	
UNKNOWN ENTITIES.	:	
	:	
Defendants,	:	

**APPENDIX TO DEFENDANT'S OPENING BRIEF IN SUPPORT  
OF THEIR MOTION FOR SUMMARY JUDGMENT**

**VOL. I**

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Page: 1	Report Date: 09/13/2005	Agency: Wilmington PD	Complaint: 30-05-089228
Reported Date and Time TUE 09/13/2005 1712		Initial Crime Report	
Location: 1299 W 3RD ST Wilmington, DE 19805 W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET			
Incident Overview: THE LISTED VICTIM SUFFERED A FATAL WOUND TO THE LEFT SIDE OF HIS CHEST BY UNKNOWN PERSON(S) AND MEANS. VICTIM WAS UNRESPONSIVE @ THE SCENE W/ NO WITNESS' COMING FORWARD. VICTIM PRONOUNCED/EXPIRED W/ NO OPPORTUNITY FOR INTERVIEW.			
rid: 20-200	Sector 17	County New Castle	Domestic Related <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Gen Broadcast Sent? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Victim Information

Crime Number 101	Name FREEMAN, DEWAYNE E							
Type Individual	Sex Male	Race Black	Ethnic Origin Non-Hispanic	Age 38	D.O.B. 02/21/1967			
Address 100 W 5TH ST APT. #2 Wilmington, DE 198010000		Resident Status Full Time	Home Telephone (302) 472-4021	Cell Phone				
Reporting Person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Injured? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Victim Deceased? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Officer Comments					
Crimes		Description of Injuries						
Employer/School UNEMPLOYED*			Work Telephone					

### Suspect/Defendant Information

Crime Type 01 No Suspect	SBI Number	Name				Nick Name		
<input checked="" type="checkbox"/> Unknown	Race	Ethnic Origin	Age	D.O.B.	Height	Weight	Skin Tone	Eye Color
Hair Color	Hair Length	Hair Style	Facial Hair	Voice Speech	Teeth	Build	Glasses	
Disguise	Disguise Color(s)		Resident Status Unknown	Unusual Characteristics		Armed With		
Address			Home Telephone	Cell Phone				
Crimes Number	Suspect's Clothing Description							

### Crimes and Associated Information

Crime Seq 001	Status DE:11:0636:00a2:F:A	Crime Description Murder First Degree Caused Death of Another During Commission of Felony					
Location Of Offense Highway/Roadway/Alley/Street		Status Pending-Inactive	Involvement <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computer	General Offense			
Suspected Hate/Bias <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - N/A	Crime Code 0910 - Homicide - Negligent Manslaughter						
Burglary Force Involved <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapon/Force Used Unknown	Homicide Circumstance Other Negligent Killings		Homicide Situation Single Victim/Unknown Offender(s)			
Formation	MO Class Means of Attack	MO Description UNKNOWN					

### Victim - Suspect/Defendant Relationships

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Crime - 001 FREEMAN, DEWAYNE E	Suspect/Defendant - 001 No Suspect	Victim Offender Relationship Relationship Undetermined
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### Witness Information

Witness 1	Type Person Contacted	Name FREEMAN, GERY	Sex Male	Race Black	Age	D.O.B.
Address 30 W 3RD ST Wilmington, DE 19805		Home Telephone	Cell Phone			
Witness 2	Type Not Interviewed	Name FREEMAN, PATRICIA	Sex Female	Race Black	Age 55	D.O.B. 05/20/1950
Address 13 WASHINGTON ST Wilmington, DE 19801		Home Telephone	Cell Phone			
Witness 3	Type Not Interviewed	Name JACKSON, DEMIA	Sex Female	Race Black	Age	D.O.B.

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Sequence  
003 Continued

## Witness Information

Address 600 W 5TH ST AP #2 Wton, DE 19805	Home Telephone (302) 472-4021	Cell Phone
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## Investigative Narrative

HIS OFFICER/BINKLEY RESPONDED TO THE IMMEDIATE AREA OF WEST 3RD AND NORTH FRANKLIN STREETS IN EF. TO A REPORT OF A CUTTING/VICTIM DOWN WHEN THE COMPLAINT CAME IN. THE VICTIM HAD LAY ON HE SOUTH SIDE OF THE STREET W/ HIS FEET TOWARDS THE STREET (UNRESPONSIVE-VERBALLY) BUT XHIBITING SIGNS OF BREATHING AND PULSE. THE VICTIM WHEN SPOKEN TO WAS NOT ABLE TO RESPOND TO HIS OFFICER. AN IMMEDIATE RESPONSE OF MEDICS TOOK OVER IN W/ AN IMMEDIATE ASSESSMENT TAKING HE VICTIM INTO THE AMBULANCE. THIS OFFICER SPOKE W/ A FAMILY MEMBER AT THE SCENE (GERY REEMAN) WHOM APPEARED ALLUSIVE BUT STATED THAT THE VICTIM WAS HIS NEPHEW (DEWAYNE FREEMAN) ND THAT HE LIVED W/ HIM AT HIS HOME. HE ADVISED THAT HE DID NOT KNOW WHAT HAPPENED AND WHEN SKED WHAT OTHER ADDRESS HE COULD GIVE ME - HE ADVISED THAT THAT WAS WHERE HE LIVED. MEDICS DVISED OFFCR. REED THAT THE VICTIM WAS NOT DOING WELL AND MIGHT NOT MAKE IT - AND THAT THEY ERE GOING TO THE CHRISTIANA HOSPITAL. THIS OFFICER REQUESTED OUR E.D.U. UNIT TO RESPOND TO HE SCENE ALTHOUGH W/ SGT. D. DONOHUE CONFIRMING THAT THERE WASN'T A SCENE IN THE IMMEDIATE REA OF THE VICTIM'S LOCATION. ASSISTING OFFICER'S REED AND SATTERFIELD STAYED AT THE SCENE AS HIS OFFICER RESPONDED TO THE CHRISTIANA HOSPITAL FOR THE VICTIM. THE VICTIM HAVING ARRIVED AT HE CHRISTIANA HOSPITAL W/ A TEAM OF MEDICAL STAFF WORKING ON THE VICTIM (DEWAYNE FREEMAN) FOR HE INJURY SUSTAINED (INTUBATED DURING PROCESS). \*AT (1437 HRS.) THE VICTIM (DEWAYNE E. REEMAN) WAS PRONOUNCED DEAD BY (DR. PASSERELLO). \*\*\*VICTIM SUFFERED AN APPARENT STAB WOUND TO HE IMMEDIATE AREA OF THE UPPER LEFT CHEST/FLUSH AGAINST THE COLLOR BONE W/ DR. PASSERELLO DVISING THE PENETRATION PROCEEDED DOWNWARD, LACERATING THE LEFT VENTRICAL OF THE HEART IN DDITION TO PUNCTURING THE UPPER PORTION OF THE LEFT LUNG.

THIS OFFICER'S IMMEDIATE SUPERVISOR/MSGT. M. LEMON NOTIFIED.

E.D.U. RESPONDING OFFICER/SGT. D. DONOHUE.

REF. FAMILY MEMBERS - VICTIM'S MOTHER/PATRICIA FREEMAN AND THE VICTIM'S GIRLFRIEND/DEMIA JACKSON RESPONDED TO THE CHRISTIANA HOSPITAL - CONFIRMING THE IDENTITY OF THE VICTIM IN THE RESENCE OF THIS OFFICER AND RESPONDING DET. ANTHONY HARRIS.

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## Investigative Narrative - Continued

INVESTIGATION REFERRED TO CID - THE ASSIGNED DETECTIVE/DET. A. HARRIS.

Statement of Victim 001 - DEWAYNE E FREEMAN

- INTERVIEW CONDUCTED - THE VICTIM UNRESPONSIVE AT THE SCENE AND EXPIRED AT THE HOSPITAL W/
- OPPORTUNITY TO INTERVIEW.

Statement of Witness 001 - GERY FREEMAN

R. GERY FREEMAN APPROACHED THIS OFFICER AT THE SCENE AND ADVISED THAT THE UNRESPONSIVE VICTIM AS HIS NEPHEW DEWAYNE FREEMAN AND ADVISED THAT HE WAS APPROXIMATELY 35 TO 36 YEARS OF AGE. HIS OFFICER ASKED HIM IF HE KNEW WHAT HAPPENED AND HE ADVISED THAT HE DID NOT KNOW WHAT HAD CCURRED BUT THAT SOMEONE TOLD HIM DEWAYNE WAS HURT ALTHOUGH DID NOT OFFER WHOM THAT WAS. THIS OFFICER WAS UNABLE TO CONDUCT A FURTHER INTERVIEW AS THE RESPONDING MEDICS ADVISED THAT I DID NOT LOOK GOOD FOR THE VICTIM AND THAT HE MAY EXPIRE. THEREFOR, THE INTERVIEW CEASED AND HIS OFFICER IMMEDIATELY RESPONDED TO THE CHRISTIANA HOSPITAL FOR THE VICTIM. \* THIS OFFICER AS ABLE TO CONFIRM MR. GERY FREEMAN'S NAME THROUGH THE VICTIM'S MOTHER (PATRICIA REEMAN) - GERY FREEMAN'S SISTER - CONFIRMING THAT THE VICTIM WAS IN FACT HIS NEPHEW.

Statement of Witness 002 - PATRICIA FREEMAN

- INTERVIEW CONDUCTED; ALTHOUGH PRESENT BRIEFLY WHEN THE ASSIGNED DET. ANTHONY HARRIS QQUIRED INITIAL INTERVIEW INFORMATION - WHICH PROVIDED TO THIS OFFICER THE NAME OF HER ROTHER (GERY FREEMAN) WHOM WAS PRESENT AT THE SCENE.

Statement of Witness 003 - DEMIA JACKSON

- INTERVIEW CONDUCTED - ALTHOUGH INITIALLY PRESENT WHEN DET. ANTHONY HARRIS AS HE EFFECTED HE ABILITY TO CONFIRM/IDENTIFY THE VICTIM AS HER BOYFRIEND W/ WHOM SHE LIVED - SHE/MS. JACKSON ACKNOWLEDGED THAT THEY-SHE AND THE VICTIM HAVE BEEN TOGETHER FOR EIGHT YEARS.

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### Supplemental Report

Orig: TL	Occurrence Dates and Times: 09/13/2005 1408	Grid 220-200	Sector 17
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Original Location:

1299 W W 3RD ST    Wilmington, DE 19805  
 W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

#### Investigative Narrative

In the above date and time this unit 11-E ( Reed & Satterfield) responded to West 3rd & North Franklin Street in reference to a cutting complaint. Upon arrival these Officers secured to scene until E.D.U. and Detectives responded. These Officers taped the crime scene, at which time the area on the ground was marked indicating where the victim was lying when this unit arrived. This Officer remained at the corner of West 3rd & North Franklin Street to prevent people from walking through the crime scene.

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## Supplemental Report

Origin:	Occurrence Dates and Times:	Grid:	Sector:
RU	9/13/2005 1408	220-200	17
Original Location: 1299 W W 3RD ST Wilmington, DE 19805 W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET			

### Investigative Narrative

ON THE ABOVE DATE, WRITER 18E (K.DONOHUE/S. MORRISSEY) WERE DISPATCHED TO THIRD AND FRANKLIN STREETS TO ASSIST WITH PRESERVING A CRIME SCENE. UPON ARRIVAL, WRITER OBSERVED CRIME SCENE APE SECURING THE 300 BLOCK OF NORTH FRANKLIN STREET AND HALF OF THE 1200 BLOCK OF WEST THIRD. WRITER WAS ORDERED BY SGT. DONOHUE TO STAND ON THE EAST CORNER OF THE SCENE, AND KEEP THE SCENE SECURE. 18E WAS ORDERED BY CPT. JUBB TO WALK WEST ON THIRD STREET FROM FRANKLIN TO ARRISON, AND ATTEMPT TO LOCATE ANY EVIDENCE. WRITER DID THIS WITH NEGATIVE RESULTS. WRITER HEN RESUMED SECURING THE EAST END OF THE SCENE. 18E WAS RELIEVED BY S/CPL. CASSIDY AT 1740 OURS. ON THIS DATE, THE WEATHER CONDITIONS WERE SUNNY AND APPROXIMATELY 85 DEGREES.

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## Supplemental Report

Original Occurrence Dates and Times: TU 9/13/2005 1408	Grid 220-200	Sector 17
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Original Location:  
299 W W 3RD ST Wilmington, DE 19805  
W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

## Victim Information

Victim Number 101	Name FREEMAN, DEWAYNE E					
Individual	Sex Male	Race Black	Ethnic Origin Non-Hispanic	Age 38	D.O.B. 02/21/1967	
Address 100 W 5TH ST APT. #2 Wilmington, DE 198010000		Resident Status Full Time	Home Telephone (302) 472-4021	Cell Phone		
Employing Person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Victim Injured? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Deceased? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer Comments		
Cures		Description of Injuries				
Employer/School UNEMPLOYED*		Work Telephone				
Victim Number 102	Name					
Individual	Sex	Race	Ethnic Origin	Age	D.O.B.	
Address		Resident Status	Home Telephone	Cell Phone		
Employing Person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Victim Injured? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Deceased? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer Comments		
Cures		Description of Injuries				

## Suspect/Defendant Information

Sequence 01	Type Defendant	SBI Number 00354596	Name WALKER, DWAYNE A	Nick Name				
Sex Male	Race Black	Ethnic Origin Non-Hispanic	Age 22	D.O.B. 12/10/1982	Height 6' 00"	Weight 175	Skin Tone Medium	
Hair Color Black	Hair Length	Hair Style	Facial Hair	Voice Speech	Teeth	Build	Glasses	
Disguise	Disguise Color(s)		Resident Status Full Time	Unusual Characteristics		Armed With Illegal Cutting Instrument		
Address 103 W 5TH ST WILMINGTON, DE 19802	Home Telephone (302) 655-1751		Cell Phone					
Case Number 5004211	Arrest Type Warrant	Suspect's Clothing Description						
Employer/School NE	Work Telephone							

## Crimes and Associated Information

Victim Number 01	Crime Seq 001	Statute DE:11:0636:00a2:F:A	Crime Description Murder First Degree Caused Death of Another During Commission of Felony			
Location Of Offense Highway/Roadway/Alley/Street		Status Adult Arrest 09/15/2005	Involvement <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computer	General Offense		
Suspected Hate/Bias <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - N/A		Crime Code 0904 - Homicide - Willful Kill - Non-Family				
Martial Force Involved <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Weapon/Force Used Knife/Cutting Instrument	Assault Factor Argument	Homicide Circumstance Other Negligent Killings		Homicide Situation Single Victim/
Classification	MO Class Means of Attack		MO Description Knife			
Victim Number 02	Crime Seq 002	Statute DE:11:1447:0000:F:B	Crime Description Possession of a Deadly Weapon During the Commission of a Felony			
Location Of Offense Highway/Roadway/Alley/Street		Status Adult Arrest 09/15/2005	Involvement <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computer	General Offense		
Suspected Hate/Bias		Crime Code				

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## Crimes and Associated Information

Burglary Force Involved <input type="checkbox"/> Yes <input type="checkbox"/> No	Criminal Activity Possessing/Concealing	Weapon/Force Used Knife/Cutting Instrument
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## Investigative Narrative

Investigative: See Detective Supplement.

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## Supplemental Report

rigir	Occurrence Dates and Times: U 3/13/2005 1408	Grid 220-200	Sector 17
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Original Location:

299 W W 3RD ST    Wilmington, DE 19805  
 V. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

## Investigative Narrative

20 (D. Donohue) responded to the Medical Examiner's Office located on N. Adams St in reference to collecting a ten print card from victim. Upon arrival this officer was asked to hold off collecting print until some post prepping was completed. This officer was able to photograph the victim using a Minolta HTSI 35mm camera (3) three photographs were completed. At this time a ten print card was collected from the victim. Also, this officer collected a tube of blood that was drawn from the victim by medical personnel at the Medical Examiner's Office. All items collected, transported to Central and tagged as evidence.

D#1- (1) one set of ten prints-victim Dwayne, Freeman

D#2- (1) one tube of blood-victim

TOTAL PHYSICAL EVIDENCE: (2) TWO ITEMS OF EVIDENCE

3) three 35mm photographs

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## Supplemental Report

Original Occurrence Dates and Times: TU 09/13/2005 1408	Grid 220-200	Sector 17
Original Location: 1299 W W 3RD ST Wilmington, DE 19805 W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET		

## Investigative Narrative

On September 13, 2005, 325 (Detective DiClemente) responded to the 1200 block of West 3 Street in reference to a homicide investigation. Upon my arrival, I conducted an area search for witnesses.

his investigator spoke to Mr. James Hickey (date of birth 9/16/58, 1200 West 3 Street, Wilmington, Delaware, no telephone). He explained he was asleep in a second floor middle bedroom at the time of this incident. Mr. Hickey was unaware of the incident occurring and he could not provide any information regarding this investigation.

his investigator attempted to contact potential witnesses at 1202, 1204, and 1206 West 3 Street. However, there was no response at each of the noted residences.

his investigator spoke to Amber Ward (date of birth 8/23/90, 1208 West 3 Street, Wilmington, Delaware, ph 429-1916). She explained she was not at home during this incident. Therefore, Ms. Ward could not provide any information regarding this investigation.

his investigator attempted to contact potential witnesses at 1210 West 3 Street. However, there was no response at the door.

his investigator attempted to speak to Margarito Ruiz at 1212 West 3 Street apartment 1. However, there was a language barrier.

his investigator attempted to locate potential witnesses at 1212 West 3 Street apartment 2. However, there was no response at the door.

his investigator spoke to a hispanic female at 1214 West 3 Street. She was very uncooperative and beligerant. The unidentified female refused to provide me with her name and other pertinent information. She alleged she did witness this incident. No further details were provided.

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his investigator spoke to Ricarda Pastiana (date of birth 5/4/84, 201 North Franklin Street, Wilmington, Delaware) at 201 North Franklin Street. She advised she was at home at the time of this incident. Ms. Pastiana explained the following family members were also occupying the residence at the time of this incident: Maria Magdalena (date of birth 7/22/65), Isac Lucas Pastrana (date of birth 3/25/62), Lucas Pastrana Jr. (date of birth 12/27/96), Esmeralda Pastrana (date of birth 7/23/98). None of Ricarda's family members advised they witnessed this

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## Investigative Narrative - Continued

his investigator attempted to locate potential witnesses at 203 North Franklin Street. However, there was no response at the door.

his investigator spoke to Sentl Lewis (date of birth 9/3/75, 205 North Franklin Street, Wilmington, Delaware, no telephone) at 205 North Franklin Street. He advised he was not at home at the time of this incident. Therefore, he could not provide any information regarding his investigation.

It should be noted 207 North Franklin Street is a vacant dwelling.

his investigator interviewed Lizzie Gardner (date of birth 5/19/26, 209 North Franklin Street, Wilmington, Delaware) at 209 North Franklin Street. She advised she was occupying the first floor kitchen area at the time of this incident. The kitchen is located on the west side of the residence. Ms. Gardner explained she did not witness this incident.

his investigator attempted to locate potential witnesses at 211 North Franklin Street. However, there was no response at the door.

his investigator interviewed Iris Silva (date of birth 11/24/47, 213 North Franklin Street, Wilmington, Delaware, ph 654-8330) at 213 North Franklin Street. She explained she was not at home at the time of this incident.

It should be noted 215 North Franklin Street is a vacant dwelling.

his investigator interviewed to Andy Laboy (date of birth 2/26/45, 217 North Franklin Street, Wilmington, Delaware) at 217 North Franklin Street. He explained he was not at home at the time of this incident. Therefore, Mr. Laboy said he could not provide any information regarding this investigation.

his investigator interviewed Hector Matos (date of birth 12/18/45, 219 North Franklin Street, Wilmington, Delaware) and Elea Soles (date of birth 2/24/47, 219 North Franklin Street, Wilmington, Delaware). Each party advised they were occupying the noted residence at the time of this incident and they were unaware the incident occurred. Therefore, they could not provide any information regarding this investigation.

his investigator attempted to contact potential witnesses at 221 and 223 North Franklin Street. However, there was no response at either door.

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his investigator responded to Vargas Appliances located at 1301 West 4 Street. Upon my arrival, I spoke to the owner, Alberto Vargas (date of birth 9/9/66, ph 898-6220). He advised he has no surveillance camera's at his business.

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## Investigative Narrative - Continued

2/6/72, 600 West 5 Street, apartment 2, ph 472-4021). She explained she is the victim's friend. Ms. Jackson said her daughter, Aaliyah Jackson (date of birth 6/9/89, 600 West 5 Street, Wilmington, Delaware), told her the following statements. Aaliyah stated her (Ms. Jackson's) boyfriend was "stabbed." Aaliyah advised she "heard Robyn knows who did it." Ms. Jackson told me she asked Robyn about the incident. She relayed Robyn told her she "heard" a Wayne Waters "stabbed" the victim. It should be noted Ms. Jackson was not positive of the name she provided me, but she believed the suspect's name was similar to Dwayne Waters. Ms. Jackson did not know if Robyn witnessed the incident. She identified Robyn as she walked in the vicinity of West 3 and North Franklin Streets. A pedestrian stop was conducted. Robyn was cooperative at the scene and she was transported to the Wilmington Police Station where she was later interviewed by Detective Misetic. For details of Robyn's identity and interview, please refer to Detective Misetic's supplement report written under the same case number.

copy of this report and my original notes were issued to Detective Lawson.

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## Supplemental Report

Original Occurrence Dates and Times: 9/13/2005 1408	Gnd 220-200	Sector 17
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Original Location:  
1299 W W 3RD ST Wilmington, DE 19805  
W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

## Investigative Narrative

31 responded to 3rd & N Franklin St in regards to a cutting. Notification was made to this unit approx. 1430 hrs. Upon arrival the victim was transported to the Christiana Hospital. The scene was processed in the following manner: using a minolta 35mm camera with Kodak film, photographs were taken of the vehicles in the block and of the exterior of the Franklin St building. Photographs were also taken of the location where the victim was located. On completion of the photos, this unit drew a crime scene sketch w/measurements. The sketch was placed into a minella envelope and tagged as evidence. This unit then processed a vehicle displaying MD2AS 65 which was located near the crime scene, with black powder with the following results.

(5) Five 3x5 cards w/latent lift from the exterior passenger side rear fender. The 3x5 cards were placed into a white envelope and tagged as evidence

his officer using a digital video recorder, took views of the crime scene showing the location where the victim was found and the surrounding area.

nce the process was completed, the following evidence was collected and tagged.

ne pair of pink sandals located in front of dwelling 246 N Franklin St.

ne white sock located in front of 246 N Franklin St

ne white wash cloth located in front of 246 N Franklin St

ne above evidence was placed into brown paper bags and tagged as evidence.

: this time , no other process needed by this officer.

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otal evidence: Thirtyeight 35mm Photos,One crime scene sketch, crime scene video,Three items of evidence

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### Supplemental Report

Incident Dates and Times: <b>9/13/2005 1408</b>	Grid <b>220-200</b>	Sector <b>17</b>
----------------------------------------------------	------------------------	---------------------

Original Location:

**.299 W W 3RD ST    Wilmington, DE 19805**  
**W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET**

### Victim Information

Claim Number <b>001</b>	Name <b>FREEMAN, DEWAYNE E</b>							
Type Individual	Sex <b>Male</b>	Race <b>Black</b>	Ethnic Origin <b>Non-Hispanic</b>			Age <b>38</b>	D.O.B. <b>02/21/1967</b>	
Address <b>100 W 5TH ST APT. #2 Wilmington, DE 198010000</b>		Resident Status <b>Full Time</b>	Home Telephone <b>(302) 472-4021</b>		Cell Phone			
Sporting Person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Victim Injured? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Deceased? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer Comments				
Injuries		Description of Injuries						
Employer/School <b>UNEMPLOYED*</b>		Work Telephone						

### Suspect/Defendant Information

Sequence <b>01</b>	Type <b>No Suspect</b>	SBI Number <b>00354596</b>	Name <b>WALKER, DWAYNE A</b>				Nick Name		
Sex <b>Male</b>	Race <b>Black</b>	Ethnic Origin <b>Non-Hispanic</b>	Age	D.O.B. <b>12/10/1982</b>	Height	Weight	Skin Tone	Eye Color	
Hair Color	Hair Length	Hair Style	Facial Hair	Voice Speech	Teeth	Build	Glasses		
Disguise			Resident Status <b>Unknown</b>	Unusual Characteristics		Armed With			
Address <b>103 W 5TH ST WILMINGTON, DE 19802</b>			Home Telephone <b>(302) 655-1751</b>	Cell Phone					
Test Number <b>5004211</b>	Suspect's Clothing Description								
Employer/School <b>UNEMPLOYED</b>			Work Telephone						
Sequence <b>02</b>	Type <b>Suspect</b>	SBI Number <b>00354596</b>	Name <b>PERSON</b>				Nick Name		
Sex <b>Male</b>	Race <b>Black</b>	Ethnic Origin <b>Non-Hispanic</b>	Age	D.O.B. <b>12/10/1982</b>	Height	Weight	Skin Tone	Eye Color	
Hair Color	Hair Length	Hair Style	Facial Hair	Voice Speech	Teeth	Build	Glasses		
Disguise			Resident Status <b>Unknown</b>	Unusual Characteristics		Armed With			
Address			Home Telephone	Cell Phone					
Test Number <b>5004211</b>	Suspect's Clothing Description								
Employer/School <b>UNEMPLOYED</b>			Work Telephone						
Sequence <b>03</b>	Type <b>Suspect</b>	SBI Number <b>00354596</b>	Name <b>PERSON</b>				Nick Name		
Sex <b>Male</b>	Race <b>Black</b>	Ethnic Origin <b>Non-Hispanic</b>	Age	D.O.B. <b>12/10/1982</b>	Height	Weight	Skin Tone	Eye Color	
Hair Color	Hair Length	Hair Style	Facial Hair	Voice Speech	Teeth	Build	Glasses		
Disguise			Resident Status <b>Unknown</b>	Unusual Characteristics		Armed With			
Address			Home Telephone	Cell Phone					
Test Number <b>5004211</b>	Suspect's Clothing Description								

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### Victim - Suspect/Defendant Relationships

Page: 2	Report Date: 09/21/2005	Agency: Wilmington PD	Complaint: 30-05-089228
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## Victim - Suspect/Defendant Relationships (Cont'd)

clim - 001 <b>'REEMAN, DEWAYNE E</b>	Suspect/Defendant - 001 <b>No Suspect</b>	Victim Offender Relationship <b>Stranger</b>
clim - ^01 <b>R' MAN, DEWAYNE E</b>	Suspect/Defendant - 002 <b>WALKER, DWAYNE A</b>	Victim Offender Relationship <b>Stranger</b>
clim - .01 <b>REEMAN, DEWAYNE E</b>	Suspect/Defendant - 003 <b>PERSON</b>	Victim Offender Relationship <b>Stranger</b>

## Investigative Narrative

On Monday, 9/13/05, at approximately 1540 hours, this writer was contacted by a concerned citizen who wished to remain anonymous. The citizen advised he/she had information pertaining to the perpetrator who stabbed Dwayne Freeman. The information provided was a nickname "Weasel" who was described as a short black male who lived in the area. The citizen further advised that he/she heard from people on the street the assault was in retaliation over heroin stolen from "Weasel" by Freeman. The concerned citizen stated he/she was not a witness and did not hear of anyone who was at the scene during the assault. No additional information was provided by this subject.

After receiving this information M/Cpl. Detective Michael Lawson who is the lead investigator was contacted by this writer and informed of the above information.

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## Supplemental Report

Orig TU	Occurrence Dates and Times: 09/13/2005 1408	Grid 220-200	Sector 17
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Original Location:

1299 W W 3RD ST    Wilmington, DE 19805  
W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

## Investigative Narrative

his investigator is writing to make a correction to my initial supplemental report. It should be noted the unidentified female who resides at 1214 West 3 Street indicated she did not witness this incident.

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age: 1	Report Date: 09/26/2005	Agency: Wilmington PD	Complaint: 30-05-089228
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## Supplemental Report

rigin TU urrence Dates and Times: J/13/2005 1408	Grid 220-200	Sector 17
-----------------------------------------------------------	-----------------	--------------

riginal Location:

299 W W 3RD ST    Wilmington, DE 19805  
 W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

## Investigative Narrative

27 NAGOWSKI WAS CONTACTED BY DETECTIVE ANTHONY HARRIS REGARDING CLOTHING HE HAD COLLECTED AT THE CHRISTIANA HOSPITAL EMERGENCY ROOM FROM A MURDER VICTIM. OFFICER HARRIS BROUGHT THE CLOTHING TO THIS UNIT TO BE BAGGED, AND TAGGED. THIS OFFICER TAGGED THE FOLLOWING ITEMS:

J#1, ONE (1) BEIGE IN COLOR " PHILLIES " BALL CAP

J#2, ONE (1) PAIR OF BLUE AND WHITE " NIKE " ATHLETIC SHOES

J#3, ONE (1) PAIR OF WHITE TUBE SOCKS

J#4, ONE (1) PAIR OF GRAY IN COLOR SWEAT TYPE PANTS WITH WHAT APPEARS TO BE BLOOD STAIN

J#5, ONE (1) PAIR OF WHITE IN COLOR BOXER SHORTS MARKED " VOP " WITH WHAT APPEARS TO BE BLOOD STAIN

J#6, ONE (1) WHITE T-SHIRT WITH WHAT APPEARS TO BE BLOOD STAIN

THESE ITEMS WERE PLACED IN THE RECORDS DIVISION FOR SAFE KEEPING.

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TOTAL PHYSICAL EVIDENCE: SIX (6) ITEMS

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age: 1	Report Date: 10/04/2005	Agency: Wilmington PD	Complaint: 30-05-089228
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## Supplemental Report

origin - Occurrence Dates and Times:  
 U 9/13/2005 1408

Grid 220-200	Sector 17
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Original Location:

299 W W 3RD ST Wilmington, DE 19805  
 N. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

## Investigative Narrative

On 13 September 2005 at approximately 1427 hours this investigator responded to the area of Third Street and Franklin Street in reference to a stabbing. This investigator began to conduct an area search for any witnesses.

While conducting this area search in the 1200 block of West 3rd Street, this investigator spoke to Shavon Edwards BFN-18 date of birth 3-13-1987 of 211 North Jackson Street cell phone 35-1727. This conversation was not recorded, but is memorialized by this investigator's notes. The following text is this investigator's brief synopsis of the interview with Ms. Edwards. Ms. Edwards advised she saw the guy collapse and then she called 911 from her cell phone.

This investigator then conducted a door to door area search for any possible witnesses in the 300 block of West 3rd Street. The following is a list of addresses this investigator checked.

301 West 3rd Street- Negative

303 West 3rd Street- Negative

305 West 3rd Street- Joe Monzon 6-15-1985 h-575-0849. Advised he did not see what occurred, he heard on the street that a black male in a green jeep might be involved. For further on this conversation refer to this investigator's notes.

307 West 3rd Street- Negative

309 West 3rd Street- Negative

311 West 3rd Street- Negative

313 West 3rd Street- Negative

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315 West 3rd Street- Negative

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### Investigative Narrative - Continued

Ms. Monzon was not recorded, but is memorialized by this investigator's notes. The following text is this investigator's brief synopsis of the interview with Ms. Monzon. Ms. Monzon advised she heard a girl screaming and come running up the street (west bound on 3rd Street then Franklin Street). The girl was screaming, "Freidman just got stabbed". She advised the girl was a black female with a light skin tone approximately 18-19 years old and about 5'4" to 5" with a thin build, approximately 130 lbs. She advised the girl was wearing a grey shirt, grey sweat pants and a multi-colored handkerchief around her head. Ms. Monzon advised he saw the victim fall down, but did not see who did it. She advised she observed several vehicles leaving the area when she looked down the street, including a green in color truck. He also indicated before the stabbing a white male subject in a white in color truck advised he was going to shoot someone. It was later determined these two vehicles were not involved in the incident. For further on this conversation refer to this investigator's notes.

This investigator then conducted and area canvas search in the 200 block of North Franklin Street. The following is the list of addresses this investigator checked.

7 North Franklin Street- Negative

5 North Franklin Street- Negative

3 North Franklin Street- Negative

1 North Franklin Street- Negative

9 North Franklin Street- Negative

7 North Franklin Street- Negative

5 North Franklin Street- Negative

3 North Franklin Street- Negative

This investigator assisted Detective Lawson on numerous interviews during this investigation. For further on these interviews refer to any notes this investigator might have taken or any recordings of the interview. A copy of this report was forwarded to Detective Lawson.

Page:	1	Report Date:	11/01/2005	Agency:	Wilmington PD	Complaint:	30-05-089228
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## Supplemental Report

Original Occurrence Dates and Times:	Grid	Sector
11/13/2005 1408	220-200	17

Original Location:  
**299 W W 3RD ST    Wilmington, DE 19805  
 V. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET**

### Investigative Narrative

Investigating Officer: Cpl. David Rhoades H6399

Agency Case Number: 30-05-89228

Date of Report: 26 Sep 05

Laboratory Number: 30-05-89228IPE

Reference Number: 05-0089

Type of Exam: Inked Print Examination

Incident: Homicide

Location: 100 south Adams Street Wilmington De. (State Medical Examiners)

Subjects:

Freeman, Dwayne BMNH- 21 Feb 1967 WPD Ident# 59092

age:	Report Date:	Agency:	Complaint:
2	11/01/2005	Wilmington PD	30-05-089228

## Investigative Narrative - Continued

esults of Examination:

relative to the above incident, Sgt Debbie Donohue fingerprinted the victim at the State Medical Examiners Office and in turn submitted the prints to the Identification Division for identification purposes. On 26 Sep 2005 this officer entered the victim's right thumb (#1 finger) in to AFIS; this resulted in the victim being positively identified as Dwayne Freeman MNH-WPD Ident #59092. I then confirmed the AFIS hit by utilizing prints collected by Officer Alfred Kazorowski on 05 Mar 1990.

nked prints obtained (at Medical Examiners office) on 14 Sep 2005 by Sgt. D. Donohue

nked prints used for comparison were obtained on 5 Mar 1990 by Officer A. Kazorowski

xamination submitted by: Cpl. David Rhoades H6399

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## Supplemental Report

Original Occurrence Dates and Times: TU 9/13/2005 1408	Grid 220-200	Sector 17
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Original Location:  
1299 W W 3RD ST Wilmington, DE 19805  
W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

## Witness Information

Sequence 104	Type Witness	Name WILLIAMS, DAVID LINDSEY	Sex Male	Race Black	Age 26	D.O.B. 04/08/1979
ddress j9 roselane New Castle, DE 19720		Home Telephone	Cell Phone			

## Investigative Narrative

This is this investigator's second supplement report regarding the ongoing investigation of his incident. On 11 October 2005 at approximately 1021 hours, this investigator interviewed David Williams at the Wilmington Police Department, Criminal Investigation Division. This interview was recorded by videotape. For further on this interview refer to this investigator's notes and the recording. Both were supplied to the lead detective in this case, Detective Michael Lawson.

age: 1	Report Date: 11/15/2005	Agency: Wilmington PD	Complaint: 30-05-089228
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## Supplemental Report

Incident Dates and Times: TU 13/2005 1408	Grid 220-200	Sector 17
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Original Location:  
299 W W 3RD ST Wilmington, DE 19805  
W. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET

## Victim Information

Victim Number 001	Name <b>FREEMAN, DEWAYNE E</b>							
Type Individual	Sex Male	Race Black	Resident Status Full Time		Ethnic Origin Non-Hispanic	Age 38	D.O.B. 02/21/1967	
Address 600 W 5TH ST APT. #2 Wilmington, DE 198010000			Home Telephone (302) 472-4021		Cell Phone			
Reporting Person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Injured? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Deceased? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer Comments					
Juries		Description of Injuries						
Employer/School <b>UNEMPLOYED*</b>			Work Telephone					
Victim Number 002	Name <b>WALKER, DWAYNE A</b>							
Type Society/Public	Sex	Race	Resident Status		Ethnic Origin	Age	D.O.B.	
Address			Home Telephone		Cell Phone			
Reporting Person? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Injured? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Victim Deceased? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer Comments					
Juries		Description of Injuries						

## Suspect/Defendant Information

Sequence 102	Type Defendant	SBI Number 00354596	Name <b>WALKER, DWAYNE A</b>	Nick Name				
Sex Male	Race Black	Ethnic Origin Non-Hispanic	Age	D.O.B. 12/10/1982	Height 6' 00"	Weight 175	Skin Tone Medium Brown	Eye Color Brown
Hair Color Black	Hair Length	Hair Style	Facial Hair	Voice Speech		Teeth	Build	Glasses
Disguise	Disguise Color(s)			Resident Status Full Time	Unusual Characteristics		Armed With <b>Illegal Cutting Instrument</b>	
Address 103 W 5TH ST WILMINGTON, DE 19802			Home Telephone (302) 655-1751		Cell Phone			
Arrest Number 15004211	Arrest Type Warrant	Suspect's Clothing Description						
Employer/School <b>UNEMPLOYED</b>			Work Telephone					

## Crimes and Associated Information

Victim Number 001	Crime Seq 001	Status DE:11:0636:00a2:F:A	Crime Description <b>Murder First Degree Caused Death of Another During Commission of Felony</b>				
Location Of Offense Highway/Roadway/Alley/Street		Status Adult Arrest 09/15/2005	Involvement <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computer		General Offense		
Suspected Hate/Bias <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - N/A		Crime Code <b>0904 - Homicide - Willful Kill - Non-Family</b>					
Burglary Force Involved <input type="checkbox"/> Yes <input type="checkbox"/> No		Weapon/Force Used <b>Knife/Cutting Instrument</b>		Assault Factor <b>Argument</b>		Homicide Circumstance <b>Other Negligent Killings</b>	Homicide Situation <b>Single Victim/U</b>
Victim Number 002	Crime Seq 002	Status DE:11:1447:0000:F:B	Crime Description <b>Possession of a Deadly Weapon During the Commission of a Felony</b>				
Loc Of Offense Highway/Roadway/Alley/Street		Status Adult Arrest 09/15/2005	Involvement <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computer		General Offense		
Suspected Hate/Bias <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - N/A		Crime Code <b>5212 - Possession of Weapon</b>					

age: 2	Report Date: 11/15/2005	Agency: Wilmington PD	Complaint: 30-05-089228
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## Victim - Suspect/Defendant Relationships

clim - 001 <b>REEMAN, DEWAYNE E</b>	Suspect/Defendant - 002 <b>WALKER, DWAYNE A</b>	Victim Offender Relationship <b>Relationship Undetermined</b>
ctim/ oci. Public	Suspect/Defendant - 002 <b>WALKER, DWAYNE A</b>	Victim Offender Relationship <b>Victimless Crime</b>

## Witness Information

quence 04	Type Person Contacted	Name JOHNSON, DERRICK	Sex Male	Race Black	Age	D.O.B.
Address 200 N KING ST Wilmington, DE 19802		Home Telephone	Cell Phone			

## Investigative Narrative

HIS OFFICER (M/SGT. AKIL) WAS CONTACTED BY PC (REV. DERRICK JOHNSON) CONCERNING AN INDIVIDUAL WHO WAS WANTED TO TURN HIMSELF OVER TO THE POLICE. THE SUBJECT WAS A MR. DWAYNE WALKER, WHO WAS WANTED IN REFERENCE TO MURDER 1ST AND PDWDCF CHARGES STEMMING FROM AN INCIDENT THE POLICE WERE INVESTIGATING. THIS OFFICER MET PC AND THE SUBJECT IN THE 400 BLOCK OF EAST 4TH STREET, ON (THU) SEPTEMBER 15, 2005. MR. WALKER WAS ESCORTED INTO THE POLICE STATION BY THIS OFFICER ALONG WITH PC AND TURNED OVER TO DETECTIVES LAWSON AND MISETIC OF THE CRIMINAL INVESTIGATION DIVISION WITHOUT AN INCIDENT.

## Statement of Witness 004 - DERRICK JOHNSON

(REV. DERRICK JOHNSON) CONTACTED THIS OFFICER REGARDING AN INDIVIDUAL WHO WANTED TO TURN HIMSELF INTO THE POLICE. PC ADVISED THAT HE WAS CONTACTED BY THE FAMILY WHO ADVISED THAT THEIR RELATIVE WAS WANTED BY THE POLICE FOR AN INCIDENT THAT OCCURRED ON THE WEST SIDE. PC STATED THAT HE WOULD LIKE TO MEET THIS OFFICER AT THE POLICE STATION AND TURN THE SUBJECT INTO THE POLICE WITHOUT AN INCIDENT. THIS OFFICER AGREED AND WAITED FOR THEIR ARRIVAL.

Age:	1	Report Date:	03/15/2006	Agency:	Wilmington PD	Complaint:	30-05-089228
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### Supplemental Report

Incident Number:  
**UL** Occurrence Dates and Times:  
**13/2005 1408**

Grid 220-200	Sector 17
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Original Location:  
**299 W W 3RD ST    Wilmington, DE 19805**  
**V. 3RD ST. & N. FRANKLIN ST. / EAST OF N. FRANKLIN ST. ON THE SOUTH SIDE OF THE STREET**

#### Investigative Narrative

Investigative: On 3-15-06, this investigator interviewed Harry Collins DOB 10-3-58 at the New Castle County Courthouse regarding this investigation. Collins is an inmate at the Howard Young Correctional Facility. Collins stated he had information regarding this investigation. Collins stated he was cell-mates with a subject nicknamed "Weesie". Collins stated Weesie told him he stabbed a man once in the heart and was bragging about the incident. Weesie provided details of the incident to Collins and stated he would get away with manslaughter since the murder weapon was not recovered by the police. Collins stated Weesie is Dwayne Walker. This interview was recorded on audio tape. For further details regarding this interview, see audio taped transcript of this interview.

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**WILMINGTON DEPARTMENT OF POLICE**  
**SUPPLEMENT REPORT**

**CASE #30-05-89228  
RED #H-05-009**

**VICTIM:** Dewayne E. Freeman DOB 2-21-67

**ADDRESS:** 600 W. 5<sup>th</sup> Street, Apartment #2, Wilmington

**CRIME/INCIDENT:** Murder 1<sup>st</sup> 11/636, PDWDCF 11/1447

**DATE/TIME OF THIS INCIDENT:** Tuesday 13 September 2005 14:08 hours

**CASE SUMMARY:**

The Wilmington Police were dispatched to the area of the 1200 block of W. 3<sup>rd</sup> Street in Wilmington regarding a report of a stabbing. Upon arrival, officers located the victim, Dewayne Freeman, lying on the south side sidewalk in front of 246 N. Franklin Street. The victim had sustained an apparent single stab wound to his left upper chest area. Paramedics responded and began treating the victim. The victim was conscious, however, could not verbally communicate with the police due to the nature of his injury. The victim was transported to the Christiana Hospital where he was pronounced dead at 14:37 hours by Dr. Passerello.

The Criminal Investigations Division was notified along with the Evidence Detection Unit. The Criminal Investigations Division responded to the crime scene and took over the investigation. This investigation was assigned to this investigator at this time and later assigned WPD Red #H-05-009.

**CRIME SCENE:**

The crime scene is located in the 1200 block of W. 3<sup>rd</sup> Street in Wilmington. The victim was located on the south side of the street, just east of Franklin Street. The victim was directly in front of 246 N. Franklin Street which faces the 1200 block of W. 3<sup>rd</sup> Street. The weather was clear and hot, approximately 85 degrees.

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#05-89228

**PHYSICAL EVIDENCE:**

The Evidence Detection Unit was notified and responded to the crime scene. EDU Sgt. Debbie Donohue responded to the crime scene and supervised the collection of evidence. The crime scene was secured by patrol officers at the scene and secured with crime scene tape. See reports submitted by EDU for further information on evidence collection.

**VICTIM INTERVIEW: N/A**

**WITNESS INTERVIEWS:**

**Angel Howell DOB 1-5-71 246 N. Franklin St., Wilmington 472-3692**

This witness was interviewed by this investigator on 9-13-05 at her residence. Howell stated she knew the victim and stated his name is "Freeman". Howell stated she observed him in front of her residence today at approximately 12:30 hours. Howell stated Freeman is a "junky" and sells drugs in front of her residence. Howell stated that she did not witness the stabbing and did not hear anything because she was inside of her residence on the second floor. Howell stated Freeman was with a black female named Shonda. Howell stated Shonda may have information as to what occurred and gave a description of Shonda as a black female in her 20's with red and black plaits in her hair. Shonda frequents the area of 5<sup>th</sup> and Harrison Streets according to Howell. Howell had no further information regarding this investigation.

**Michael Jackson DOB 7-19-74 164 Brookside Blvd., Newark 738-3226**

This witness was interviewed by this investigator on 9-13-05 at the Criminal Investigations Division. Jackson stated he was working inside of his business located on the corner of 3<sup>rd</sup> and Franklin Streets at which time he exited his business and walked to his vehicle to make a food delivery. As Jackson walked to his vehicle, he observed the victim lying on the ground holding his chest. The victim asked him to call 911. Jackson retrieved a white towel from his business and gave it to the victim. Jackson stated an unknown juvenile called 911 from his cell phone. Jackson stated he did not see the suspect and had no further information regarding this incident. This interview was preserved on video tape. For further information, see video taped interview.

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#05-89228

Nancy Barner DOB 10-5-65 10 S. Gray Ave, Wilmington 652-5302

This witness was interviewed by this investigator on 9-13-05 at the Criminal Investigations Division. Barner stated she witnessed the victim, "Freedom", get stabbed by an unknown black male. Barner stated she did not see the suspect's face and would not be able to identify him. Barner stated she was driving her vehicle down W. 3<sup>rd</sup> Street at which time she saw the victim sitting on the steps in front of the house with a porch near 3<sup>rd</sup> and Franklin Streets on the south side of the street. Barner parked her car toward the middle of the block and exited her vehicle. Barner heard the suspect yelling at the victim. The suspect stated, "You owe me some fucking money for the dope!" at which time the victim told the suspect he did not have anything. Barner heard the suspect tell the victim he owed him for the bundle he gave him at which time the victim stated he didn't owe him anything. The suspect then stabbed the victim according to Barner.

Barner stated she helped the victim and put a towel over his wound. Barner also stated she called 911 from her cell phone and reported the incident. Barner stated several people were present during the incident and provided this investigator with a few names of people she recognized. This interview was preserved on video tape. For further details see video tape.

Shonda L. Wright DOB 11-3-75 1113 W. 5<sup>th</sup> Street, Wilmington 655-3285

This witness was interviewed by this investigator on 9-13-05 at the Criminal Investigations Division. Wright had been arrested on an unrelated charge (30-05-89236) by the Wilmington Police just after the stabbing incident. Wright was interviewed and stated she witnessed the stabbing. Wright stated she observed Freeman get stabbed by a subject nicknamed "Weesie". Wright described him as a black male in his early 20's, dark complexion wearing a black shirt, blue jean shorts, tan timberland boots and a black and green Boston Celtics baseball cap. Weesie told her Freeman had stolen two bundles of heroin from him. Wright stated Freeman was getting ready to make a drug transaction with someone at which time Weesie approached him and stabbed him once in his heart. Wright stated she was only a few feet away from the victim when he was stabbed. Wright stated Weesie stabbed Freeman with a folding pocket knife she described to be brown and gold with a silver blade. Wright did not observe what Weesie did with the knife after he stabbed Freeman.

This investigator presented a photo line-up to Wright at which time she positively identified a photograph of Dwayne Walker DOB of 12-10-82 as the person she knows as "Weesie", the same subject she observed stab Freeman. This interview was preserved on video tape. For further information regarding this interview, see video taped statement.

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**#05-89228**

**Robin Lindsey DOB 11-13-71 37 Revelle Street Apt. A, Wilmington 229-8137**

This witness was interviewed by this investigator on 9-13-05 at the Criminal Investigations Division. Lindsey stated she was standing on the corner of 3<sup>rd</sup> and Connell Streets at which time she heard some type of commotion down the street at 3<sup>rd</sup> and Franklin Streets. Lindsey began walking down the street at which time she observed a black female names Tranika, run past her. Lindsey stated Tranika is "Weesie's" sister. Lindsey stated Tranika was holding her ears and told her, "My brother just stabbed Freeman, that's him lying on the ground". Lindsey proceeded to the corner of 3rd and Franklin Streets and observed the victim, Freeman, on the ground with an apparent stab wound.

Lindsey stated she knows "Weesie" as Dwayne Walker and stated he was in the area earlier and described him as wearing a black baseball hat and black clothing. Lindsey was presented with a photo line-up and positively identified a photo of Dwayne Walker DOB 12-10-82 as the subject she knows as "Weesie". Lindsey stated there were several people in the area of 3<sup>rd</sup> and Franklin Streets at the time of the incident. Lindsey had no further information regarding this investigation.

This interview was preserved on video tape. For details of this interview, see video tape.

**Antwine Witcher DOB 8-28-86 1106 W. 3<sup>rd</sup> Street, Wilmington 654-9603**

This witness was interviewed by this investigator on 9-15-05 at the Criminal Investigations Division. Witcher stated he was present during the stabbing and did not witness the stabbing, however, observed a subject known to him as "Weesie", walk away from the victim, after the victim had been stabbed. Witcher stated he has known the victim and the suspect for 19 years. Witcher stated he heard a loud thump and looked to see Freeman lying on the ground in front of the house with the porch. Witcher observed Weesie walking away from Freeman, heading toward Franklin Street and turning south on Franklin Street from 3<sup>rd</sup> Street. Witcher approached the victim, and first thought Weesie had punched Freeman, and noticed Freeman had been stabbed. Witcher stated Freeman began having a seizure and was shaking as he lay on the ground.

Witcher stated he knows "Weesie" as Dwayne Walker. Witcher was presented with a photo line-up at which time he positively identified a photograph of Dwayne Walker DOB 12-10-82 as the subject he observed walking away from the victim, after the victim was stabbed. Witcher stated Weesie and Freeman were friends and that he heard Freeman was stabbed over a debt of two bundles of heroin or five dollars. Witcher stated the victim and suspect were friendly with each other and that Freeman is a drug user and frequents the area of 3<sup>rd</sup> and Franklin Streets. Witcher stated that Weesie's five year old son, Malik, was present during the stabbing. He stated it was Malik's birthday.

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This interview was preserved on video tape. For further information regarding this interview, see video taped statement.

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#05-89228

Rochelle Maness DOB 6-17-84 1119 Lancaster Ave., Wilmington 658-2882

This witness was interviewed by this investigator on 9-15-05 at the Criminal Investigations Division. Maness is an ex-girlfriend of the suspect, Dwayne Walker, and has a five year old child with him. Maness stated on 9-13-05, she received a phone call from Dwayne Walker. Walker told Maness that he had just stabbed him and that he did not mean to kill him. Maness stated the time was between 13:30 – 14:00 hours. Walker told Maness he stabbed the victim in the shoulder. Maness provided this investigator with Walker's cell phone number of 267-290-8209 and the chirper number of 183\*618\*5168. Maness identified a photograph of Dwayne Walker DOB of 12-10-82 as the subject she has been referring to in this investigation. Maness stated she had seen the suspect earlier in the day and stated he was wearing a black t-shirt, black and green Boston Celtics baseball cap, blue jean shorts and tan Timberland boots. Maness also stated she has seen Walker with a knife in the past and stated he owns two different types of knives. Maness described one of the knives to be silver with gold, approximately 6 inches long that flips out. Maness stated the other knife she has seen in possession of Walker is a smaller knife, black in color with ruffles on the side and a push button to open the blade.

This interview was preserved on video tape. For further details regarding this interview, see vide taped interview.

A-29

Cheryl Truitt DOB 3-12-82 108 N. DuPont Street, Wilmington no phone

This witness was interviewed by this investigator on 9-22-05 at the Criminal Investigations Division. This investigator located Truitt at her residence and transported her to the police station with her permission. Truitt was interviewed regarding the homicide and stated she did not witness the stabbing and did not see Dwayne Walker that day. Truitt stated Walker is the father of her son, Malik Truitt, who recently turned six years old on September 16<sup>th</sup>.

Truitt stated she walked through the area of 3<sup>rd</sup> and Franklin Streets at 13:30 hours with her son, Malik. Truitt stated she walked to Adams Four Shopping Center where she purchased a pair of Nike shoes for Malik. Truitt stated she purchased the shoes with cash for sixty dollars at the Sports Connection. Truitt stated she walked back through the area of 3<sup>rd</sup> and Franklin Streets at approximately 13:40 hours. Truitt stated she did not see the victim at this time, nor did she see Dwayne Walker. Truitt did state that she observed a black male in a wheel chair in the area of 3<sup>rd</sup> and Franklin Streets at this time.

Truitt denied being in the area of 3<sup>rd</sup> and Franklin Streets during the time of the stabbing. Truitt stated she walked back to her house, walking westbound on 3<sup>rd</sup> Street, with her son, Malik. Truitt did provide her cell phone number to this investigator and denied speaking with Walker on the date of the homicide. Truitt's cell phone number is (302)-444-1585. Truitt had no further information regarding this investigation. This interview was preserved on videotape. For further

Page 6 of 11  
#05-89228

Kim Fletcher DOB 6-9-84 1739 W. 5<sup>th</sup> Street, Apt. 2, Wilmington 655-3685

This investigator interviewed Kim Fletcher on 9-26-05 at the Criminal Investigations Division. Fletcher turned herself in on an outstanding unrelated capias. Fletcher stated she did not observe the stabbing, however, did state that she observed her boyfriend, Dwayne Walker, in the area of W. 3<sup>rd</sup> Street between Connell Street and Franklin Street as she was walking through the area. Walker was sitting in front of Rochelle's baby's dad's house on 3<sup>rd</sup> Street. Fletcher stated she was with Dwayne's sister, Tranika Walker. Fletcher did not know what time of day it was when she observed him, but stated it must have occurred before the homicide since the police had not yet arrived in the area. Fletcher and Tranika walked to her Aunt Flossie's house at 5<sup>th</sup> and VanBuren Streets. Fletcher stated she was not present during the incident, however, people are saying Dwayne was the person who did it. Fletcher would not provide any names of people who told her this. Fletcher stated Walker was released from prison on June 15<sup>th</sup>, 2005. Fletcher stated Walker does not have a cell phone, however, uses his mother's cell phone and provided the cell phone number of 290-8209.

Fletcher stated she was interviewed by James Lane of the Public Defender's office before Walker went to court for his Preliminary Hearing. Fletcher stated Lane took notes about what she had done on the day of the homicide. Fletcher would not speculate on what was said during the interview and stated I could find out from Lane who took notes. Fletcher stated Walker stayed with her on Tuesday night at his mom's house near Wilton, the night of the homicide and acted like nothing happened.

Fletcher stated she observed Dwayne's son, Malik, and his mother, "Minnie", in the area of 3<sup>rd</sup> and Franklin Streets. Minnie and Malik were coming from the Sports Connection after they purchased shoes for Malik. Fletcher stated nothing was going on at the time and that she must have seen them before the stabbing took place. Fletcher stated Malik was not wearing a shirt. Fletcher also stated she observed a black male subject in a wheel chair she knows as "Stunner" or "Twan." Fletcher stated she left the area with Tranika and walked to her house located at 1739 W. 5<sup>th</sup> Street in Wilmington. Fletcher stated she was with Tranika the remainder of the day. Fletcher described Tranika as eighteen years old having blondish hair with a pony-tail.

Fletcher stated Walker had left a pair of Air One sneakers at her residence and gave permission to search her residence. This investigator searched her residence on this date located at 1739 W. 5<sup>th</sup> Street Apartment #2 in Wilmington. Fletcher's mother, Kim Fletcher, unlocked the premises and was present during the search. During the search a pair of Air One men's sneakers was located along with a black t-shirt. These two items were located in an east side bedroom. Both items were removed from this location and tagged as evidence for future DNA analysis. Also located at this location was a cell phone. This investigator asked Kim Fletcher(mother) who the phone belonged to at which time she stated it belonged to her daughter, Kim. This investigator checked the cell phone for a phone number and noticed the personal info name of "Weze" on the phone with the cell phone number of 290-8209.

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#05-89228

**SUSPECT INFORMATION:**

Dwayne Walker BM 22 years  
DOB 12-10-82 6'0, 200 lbs.  
227 N. Jackson Street, Wilmington  
SBI# 00354596

**SUSPECT INTERVIEW:**

The suspect was interviewed on 9-15-05 at the Criminal Investigations Division and stated he did not wish to make any statements without a lawyer present. Walker stated he did not have a lawyer at the time and that his family would provide one later. The interview was stopped at this time without any further questioning. This brief interview was preserved on video tape. For further details see video taped interview.

**ARREST ACTION:**

The suspect was arrested on 9-15-05 at approximately 16:50 hours at the Criminal Investigations Division. The suspect turned himself in and was escorted by Sgt. Fahim Akil of the Wilmington Police Department and Pastor Derrick Johnson. Walker gave no statement regarding the incident and was booked on warrants for Murder 1<sup>st</sup> and PDWDCF. Dwayne Walker was booked under arrest #05004211.

**COURT ACTION:**

A preliminary hearing was held on 9-21-05 in the Court of Common Pleas. Dwayne Walker was represented by Katherine Van Amerogen, Esquire. A hearing was conducted and Walker was bound over to Superior Court on the original charges for a future court date.

Page 8 of 11  
#05-89228

**INVESTIGATIVE PROCEDURES:**

**13 September 2005**

This investigator responded to the 1200 block of W. 3<sup>rd</sup> Street at approximately 14:30 hours this date regarding a stabbing investigation. Upon arrival at this location, this investigator met with Sgt. Mark Lemon and Sgt. Deborah Donohue. This investigator was briefed by Sgt. Lemon as to the details of the incident. During this time, Officer Maureen Binkley advised the victim was pronounced dead at the hospital.

EDU taped off the area of the crime scene and began processing the scene. EDU took photos and videotaped the scene. See EDU supplements for further information regarding evidence collected at the crime scene.

This investigator conducted an area canvass at the following locations:

**Vivian Glaze DOB 12-29-37 244 N. Franklin Street ph. 571-1025**

Vivian Glaze stated she had arrived at home after the ambulance had arrived at the crime scene. Glaze stated she resides by herself and had no information regarding the investigation.

**Eleanora Brown DOB 1-29-45 242 N. Franklin Street ph. 656-4694**

Eleanora Brown stated she was not at home during the incident and did not have any information regarding the stabbing.

240 N. Franklin Street.....no response.  
238 N. Franklin Street.....no response.  
236 N. Franklin Street.....no response.  
234 N. Franklin Street.....no response.  
228 N. Franklin Street.....no response.

A-32

**Amelia Vargas 232 N. Franklin Street ph. 654-7205**

Amelia Vargas stated she was inside of her residence during the incident and did not hear or see anything. Vargas had no information regarding this investigation.

**Kevin Jackson DOB 7-4-83 230 N. Franklin Street no phone**

Kevin Jackson stated he did not witness the incident, however, stated he observed the victim lying on the ground after the incident. Jackson stated the victim is a known drug user and frequents this area. Jackson had no further information regarding this investigation.

Page 9 of 11  
#05-89228

This investigator interviewed the following witnesses on this date regarding this investigation:

Angel Howell, Robin Lindsey, Nancy Barner, Michael Jackson and Shonda Wright. See Witness Interviews for details.

This investigator was contacted by Sgt. John Drysdale of information he received from an informant regarding this investigation. Sgt. Drysdale advised the informant contacted him shortly after the stabbing and stated the suspect is a black male with the nickname of "Weasel".

This investigator reviewed two compact discs from Downtown Visions. Each disc displayed video in the area of the homicide. The homicide was not captured on the video, however, several people are gathered at the corner of 3<sup>rd</sup> and Franklin Streets at the time of the incident.

This investigator signed warrants for Dwayne Walker DOB 12-10-82 on this date in the Justice of the Peace Court #20 for Murder 1<sup>st</sup> and PDWDCF.

14 September 2005

This investigator responded to the Medical Examiner's Office on this date for the post mortem autopsy. Dr. Jenny Vershvovsky performed the autopsy and determined the victim died as a result of a single stab wound to his upper left chest area. The weapon penetrated the victim's upper atrium and left lung. Dr. Vershvovsky determined the manner of death as a homicide.

This investigator responded back to the crime scene and canvassed the area with negative results for witnesses or evidence.

15 September 2005

A-33

This investigator interviewed Antwine Witcher and Rochelle Maness on this date at the Criminal Investigations Division. See Witness Interviews.

This investigator, along with the Crisis Management Tactical Team and other members of the Criminal Investigations Division, conducted a search warrant at 118 Dutton Drive in New Castle. This search met with negative results for the suspect. No property seized from this location.

This investigator responded to 227 N. Jackson Street in an attempt to locate Tranika Walker. This met with negative results. This investigator spoke with a gentleman at the residence who advised he was the grandfather of Dwayne Walker. The gentleman stated he has not seen his grandson and advised he would call if located. He also advised he has not seen his granddaughter either.

Page 10 of 11  
#05-89228

This investigator responded to 1103 W. 5<sup>th</sup> Street in Wilmington in an attempt to locate Dwayne Walker. This investigator discovered this location to be vacant. This address was the address of Walker's grandmother, Vanessa Daniels.

Dwayne Walker turned himself in at the Wilmington Police Department at approximately 16:30 hours. Walker was accompanied by Pastor Derrick Johnson and Sgt. Fahim Akil. Walker was Mirandized by this investigator and stated he did not wish to make any statement at this time. This interview was concluded at this time and Walker was booked on the warrants for Murder 1<sup>st</sup> and PDWDCF. Walker was arraigned at Justice of the Peace Court #20 and later transported to the Howard Young Correctional Facility without bail.

21 September 2005

A preliminary hearing was held on this date at the Court of Common Pleas. Dwayne Walker was represented by Katherine Van Amerogen, Esquire. A hearing was conducted and Walker was bound over to Superior Court on the original charges of Murder 1<sup>st</sup> and PDWDCF for a future court date. Walker made no statements and no evidence or witnesses were provided by the defense.

22 September 2005

This investigator interviewed Cheryl Truitt on this date at the Criminal Investigations Division. See Witness Interview.

26 September 2005

This investigator interviewed Kim Fletcher at the Criminal Investigations Division. Fletcher had turned herself in on unrelated charges and agreed to be interviewed. See Witness Interview.

This investigator conducted a consent search at 1739 W. 5<sup>th</sup> Street Apartment #2 in Wilmington. This location is the residence of Kim Fletcher. Fletcher stated Dwayne Walker visited her at this location on the day of the homicide. Fletcher's mother, Kim Fletcher, was present during the search and unlocked the premises for this investigator. During the search, this investigator located a pair of Air One sneakers and one black t-shirt. These items were seized as evidence and placed into Records Division for future analysis.

Page 11 of 11  
#05-89228

**CONCLUSION:**

This case is hereby closed with an arrest. The victim, Dewayne Freeman, was stabbed once in the upper left chest area and died as a result of the stabbing. Witnesses were located and identified Dwayne Walker as the suspect. The suspect, Dwayne Walker DOB 12-10-82, turned himself in and was booked on Murder 1<sup>st</sup> and PDWDCF. A preliminary hearing was conducted and the defendant was bound over to Superior Court for a future trial date. All future correspondence regarding this investigation will be submitted on a supplement report by this investigator.

**INVESTIGATOR: DETECTIVE MICHAEL LAWSON I/6406**

**DATE SUBMITTED: 6 October 2005**

**SUPERVISOR: \_\_\_\_\_**

**DATE SIGNED OFF: \_\_\_\_\_**

**CASE STATUS: Closed/Arrest**

**IN THE JUSTICE OF THE PEACE COURT  
STATE OF DELAWARE  
COURT 20**

<b>IN THE MATTER OF:</b>	)	
Dwayne Walker DOB 12-10-82	)	DAYTIME
and the entire premise known as	)	SEARCH
118 Dutton Drive, New Castle	)	WARRANT
Delaware 19720, to include any and	)	AND
all outbuildings and curtilages.	)	RETURN

**IN THE STATE OF DELAWARE TO:**

**Detective Michael Lawson**, with the assistance of any police officer or constable or any other necessary or proper person or persons or assistance.

**GREETINGS:** Upon the annexed affidavit and application or complaint for a search warrant, as I am satisfied that there is probable cause to believe that certain property, namely:

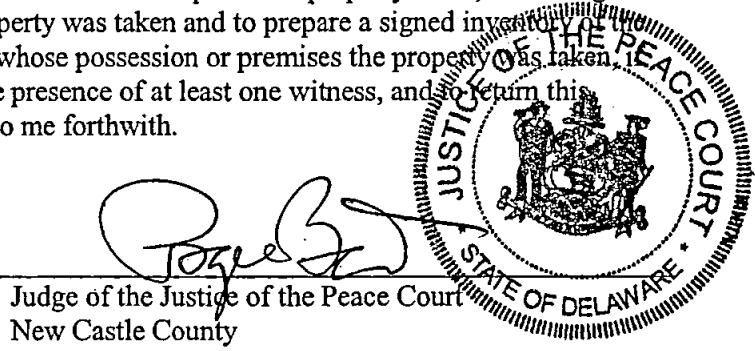
- 1. ANY WEAPONS TO INCLUDE A POCKET TYPE FOLDING KNIFE.**
- 2. CLOTHING CONSISTING OF A BLACK SHIRT, BLUE JEAN SHORTS,  
BLACK BOSTON CELTICS BASEBALL HAT AND ANY CLOTHING WITH  
BLOOD TRANSFER.**

Which said property, articles, papers or things were, are, or will be used or intended to be used and/or possessed and/or represents evidence of **Murder in the First Degree Title 11 Section 636**.

Is being concealed on the premise described in the annexed affidavit and application or complaint; **118 Dutton Drive, New Castle, Delaware 19720.**

NOW, THEREFORE, YOU ARE HEREBY COMMANDED, within **10 days** the date hereof to search the above-named person, persons, house, conveyance or place for the property specified in the annexed affidavit and application, and to search any occupant or occupants found in the house, place or conveyance above named for such property, serving this warrant and making the search in the daytime, or in the nighttime if the property to be searched is not a dwelling house, and, if the property papers, articles or things, or any part thereof, be found there, to seize it, giving to the person from whom or from whose premises the property was taken a copy of the warrant and a receipt for the property taken, or leaving the copy and receipt at the place from which the property was taken and to prepare a signed inventory of the goods seized in the presence of the person from whose possession or premises the property was taken, if they are present, or, if they are not present, in the presence of at least one witness, and to return this warrant, accompanied by the written inventory, to me forthwith.

Dated this 14 day of September 2005.



Judge of the Justice of the Peace Court  
New Castle County  
State of Delaware

ROGER BARTON, JP

Name/Title

JP COURT # 20

Court

IN THE  
JUSTICE OF THE PEACE COURT 20  
STATE OF DELAWARE

IN THE MATTER OF:

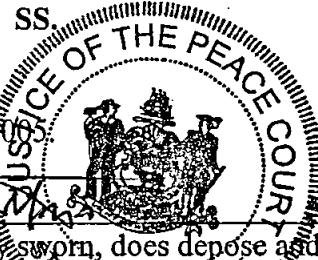
Dwayne Walker DOB 12-10-82

118 Dutton Drive, New Castle, Delaware 19720

To include any and all outbuildings and curtilages.

)  
) APPLICATION  
) AND  
) AFFIDAVIT  
) FOR SEARCH  
) WARRANT

NEW CASTLE COUNTY )  
STATE OF DELAWARE )



BE IT REMEMBERED, on this 14th day of September, 2005,

before me, the HONORABLE JUDGE Judge James, personally appeared Detective Michael Lawson who, being duly sworn, does depose and say that there is reason to believe and that he does believe that located at 118 Dutton Drive, New Castle, Delaware 19720 which is owned or occupied by Dwayne Walker DOB 12-10-82, that there has been and / or is now and / or concealed certain property, articles, papers or things, in or at on said person (s), place (s), and / or thing (s), or on the occupant (s) thereof namely:

1. ANY WEAPONS TO INCLUDE A POCKET TYPE FOLDING KNIFE.
2. CLOTHING CONSISTING OF A BLACK SHIRT, BLUE JEAN SHORTS, BLACK BOSTON CELTICS BASEBALL HAT AND ANY CLOTHING WITH BLOOD TRANSFER.

Which said property, papers, articles, and / or things were, are, or will be possessed and / or used, and / or represents evidence of a violation of the **Delaware Criminal Code, Title 11, Section 636, in that MURDER in the FIRST DEGREE.**

And, the facts tending to establish probable cause for believing that the foregoing grounds for the application exists are as follows: **SEE ATTACHED TEXT.**

(S)



DELJIS Web Applications

server.deljis.state.de.us

DELJIS Menu | Web Searches | Support/Help

## Charge Summary Inquiry On: WALKER, DWAYNE A

INCORRECT DATA



If there is a missing record or the information is incorrect, please contact Support.

Date: 9/13/2005 Last Update Date: 08/31/2005  
Token: A0002093

**WARRANT AVAILABLE** - [Click to view Warrant\(s\)](#)

183 \* 618 \* 5168 - chirpr

**IDENTIFICATION INFORMATION:**

[LiveScan/Mugshot\(s\) Available](#) - [Click To View](#)  
No Available DMV Photo

SBI  
Number:

00354596

[View](#)

Driver's License(s):

[DE 1344226 - Click to](#)

(s):

Social Security Number

221-66-8366

Name(s) Used:

01 WALKER, DWAYNE A

Date(s) of Birth:

12/10/1982

Sex: Male Race: Black Height: 6'00 Weight: 175lbs  
Eye Color: Brown Hair Color: Black Place of Birth:

Current DOC Status: PAROLEE

Current DOC Agency/Institution: P & P WILMINGTON

[Click to view DOC History](#)

[Click to view Address History](#)

Address: 703 W 5TH ST

WILMINGTON , DE 19802 County: Unknown

A-38

**SCARS, MARKS AND TATTOOS:**

Scar-Left Eyebrow

**CAUTIONS, NOTICES, COMMENTS:**

KNOWN TO ABUSE DRUGS

**CHARGE/ARREST DATA:**

Total Reported Arrests: 016      Total Warrants/Capiases: 017

Active Warrants/Capiases: 001

[View Wanted Person Information Click Here](#)[Click to see Executed Warrant Summary Screen](#)

Charge Summary:	Reported:	Convictions:
Felony	011	003
Misdemeanor	020	011
Violation	000	000
Other/Unknown	000	000

**DELIIS CHARGE SUMMARY:****04/01/2005**Arresting Agency Name: New Castle County SUPERIOR Court Arrest Number: WU70501368  
**007 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 04/01/2005 Disposition: VF

[Click To View Sentence Detail](#)**008 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 04/01/2005 Disposition: VF

[Click To View Sentence Detail](#)**03/23/2005**Arresting Agency Name: New Castle County SUPERIOR Court Arrest Number: WU70500590  
**004 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0106020017 Court: New Castle County SUPERIOR Court

Date: 04/01/2005 Disposition: VF

[Click To View Sentence Detail](#)**09/14/2001**Arresting Agency Name: Wilmington PD Arrest Number: 01003745  
**001 DE:16:4751:000A:F::C - DELIVERY OF A NARCOTIC SCHEDULE I  
CONTROLLED SUBSTANCE-****LIO - 16:4753:0000:M:A: - POSSESSION OF A NARCOTIC SCHEDULE I  
COUNTERFEIT SUBSTANCE-**

A-39

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON  
PLEAS

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: PLED GUILTY-LESS INC.OFF. OF SEC

[Click To View Sentence Detail](#)

**002 DE:16:4767:00A1:F::G - DELIVERY OF NARC SCH I CONTROLLED SUBSTANCE WITHIN 1000 FEET OF SCHOOL**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

**003 DE:11:0512:0001:F::G - CONSPIRACY SECOND DEGREE-AGREEMENT TO ENGAGE**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: PLED GUILTY ORIGINAL CHARGE

[Click To View Sentence Detail](#)

**004 DE:16:4754:000B:M::B - POSSESSION OF A NON-NARCOTIC SCHEDULE I CONTROLLED SUBSTANCE**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

**005 WI: :0036:0094:M: - LOITERING FOR DRUG RELATED ACTIVITY**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

**006 DE:16:4751:000A:F::C - POSSESSION WITH INTENT TO DELIVER A NARCOTIC SCHEDULE I CONTROLLED SUBSTANCE**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

A-40

09/12/2001

Arresting Agency Name: New Castle County Family Court Arrest Number: WU10101469

**005 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0104015558 Court: New Castle County Family Court

Date: 10/01/2001 Disposition: VF

[Click To View Sentence Detail](#)

07/17/2001

Arresting Agency Name: New Castle County SUPERIOR Court Arrest Number: WU70104464

003 DE:11:4334:0000:M: - VIOLATION OF PROBATION-

Case Number: 0102003251 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: VFT

[Click To View Sentence Detail](#)

06/26/2001

Arresting Agency Name: Wilmington PD Arrest Number: 01002589

001 DE:16:4751:000A:F::C - POSSESSION WITH INTENT TO DELIVER A NARCOTIC SCHEDULE I CONTROLLED SUBSTANCE

Complaint Number: [Click to view 3001061318](#)

Case Number: 0106020017 Court: Justice of the Peace Court 20

Date: 06/26/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0106020017 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 07/05/2001 Disposition: BOUND OVER, PROBABLE CAUSE

Case Number: 0106020017 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

002 DE:16:4767:00A1:F::G - DELIVERY OF NARCOTIC SCHED IV CONTROLLED SUBSTANCE WITHIN 1000 FEET OF SCHOOL

Complaint Number: [Click to view 3001061318](#)

Case Number: 0106020017 Court: Justice of the Peace Court 20

Date: 06/26/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0106020017 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 07/05/2001 Disposition: BOUND OVER, PROBABLE CAUSE

Case Number: 0106020017 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

003 DE:16:4767:00A1:F::G - POSS OF NARC SCH II CONTROLLED SUBSTANCE WITHIN 1000 FEET OF SCHOOL

Complaint Number: [Click to view 3001061318](#)

Case Number: 0106020017 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: PLED GUILTY ORIGINAL CHARGE

[Click To View Sentence Detail](#)

05/01/2001

Arresting Agency Name: Wilmington PD Arrest Number: 01001761

001 DE:11:0611:0001:M::A - ASSAULT THIRD DEGREE-INTENTIONALLY RECKLESSLY CAUSE PHYSICAL INJURY

Complaint Number: 3001036489

Case Number: 0104015558 Court: Justice of the Peace Court 20

Date: 05/02/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0104015558 Court: New Castle County Family Court

Date: 07/12/2001 Disposition: GUILTY PLEA

[Click To View Sentence Detail](#)

Case Number: 0104015558 Court: New Castle County SUPERIOR Court

Date: 07/12/2001 Disposition: GUILTY ORIGINAL CHARGE

A-41

[Click To View Sentence Detail](#)

**002 DE:11:0621:00A1:M::A - TERRORISTIC THREATENING-THREAT COMMIT CRIME LIKELY RESULT DEATH/SERIOUS INJURY**

Complaint Number: 3001036489

Case Number: 0104015558 Court: Justice of the Peace Court 20

Date: 05/02/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0104015558 Court: New Castle County Family Court

Date: 07/12/2001 Disposition: NOLLE PROSEQUI

Case Number: 0104015558 Court: New Castle County SUPERIOR Court

Date: 07/12/2001 Disposition: NOLLE PROSEQUI

**003 DE:11:1102:00a4:M::A - ENDANGERING THE WELFARE OF A CHILD COMMITTED CRIME CHILD WITNESSED**

Complaint Number: 3001036489

Case Number: 0104015558 Court: Justice of the Peace Court 20

Date: 05/02/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0104015558 Court: New Castle County Family Court

Date: 07/12/2001 Disposition: GUILTY PLEA

[Click To View Sentence Detail](#)

Case Number: 0104015558 Court: New Castle County SUPERIOR Court

Date: 07/12/2001 Disposition: GUILTY ORIGINAL CHARGE

[Click To View Sentence Detail](#)

**004 DE:11:0811:00A1:M: - CRIMINAL MISCHIEF UNDER \$1000 DAMAGE PROPERTY**

Complaint Number: 3001036489

Case Number: 0104015558 Court: Justice of the Peace Court 20

Date: 05/02/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0104015558 Court: New Castle County Family Court

Date: 07/12/2001 Disposition: NOLLE PROSEQUI

Case Number: 0104015558 Court: New Castle County SUPERIOR Court

Date: 07/12/2001 Disposition: NOLLE PROSEQUI

02/04/2001

Arresting Agency Name: Wilmington PD Arrest Number: 01000499

**001 DE:16:4751:000A:F::C - POSSESSION WITH INTENT TO DELIVER A NARCOTIC SCHEDULE I CONTROLLED SUBSTANCE**

Complaint Number: [Click to view 3001010333](#)

Case Number: 0102003251 Court: Justice of the Peace Court 20

Date: 02/04/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0102003251 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 02/12/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0102003251 Court: New Castle County SUPERIOR Court

Date: 06/11/2001 Disposition: PLED GUILTY ORIGINAL CHARGE

[Click To View Sentence Detail](#)

**002 DE:16:4767:00A1:F::G - POSS OF NARC SCH I CONTROLLED SUBSTANCE WITHIN 1000 FEET OF SCHOOL**

Complaint Number: [Click to view 3001010333](#)

Case Number: 0102003251 Court: Justice of the Peace Court 20

Date: 02/04/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0102003251 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 02/12/2001 Disposition: PRELIMINARY HEARING WAIVED

A-42

Case Number: 0102003251 Court: New Castle County SUPERIOR Court  
Date: 06/11/2001 Disposition: NOLLE PROSEQUI

12/12/2000

Arresting Agency Name: New Castle County Family Court Arrest Number: WU10001934  
002 DE:11:4334:0000:M: - VIOLATION OF PROBATION-

Case Number: 0008001094 Court: New Castle County Family Court  
Date: 01/16/2001 Disposition: DISMISSED

08/14/2000

Arresting Agency Name: Wilmington PD Arrest Number: 77626  
001 WI: :0036:0068:M: - LOITERING

Complaint Number: [Click to view 3000074200](#)  
Case Number: 0008013073 Court: New Castle County Family Court  
Date: 02/20/2001 Disposition: NOLLE PROSEQUI

07/28/2000

Arresting Agency Name: Wilmington PD Arrest Number: 00002713  
001 DE:11:0824:0000:F::F - BURGLARY THIRD DEGREE

Complaint Number: 3099020133  
Case Number: 0006004200 Court: Justice of the Peace Court 20  
Date: 07/28/2000 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0006004200 Court: New Castle County Family Court  
Date: 10/23/2000 Disposition: DISMISSED

002 DE:11:0811:00A1:F::G - CRIMINAL MISCHIEF- OVER \$1500- DAMAGE PROPERTY

Complaint Number: 3099020133  
Case Number: 0006004200 Court: Justice of the Peace Court 20  
Date: 07/28/2000 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0006004200 Court: New Castle County Family Court  
Date: 10/23/2000 Disposition: DISMISSED

003 DE:11:0512:0001:F::G - CONSPIRACY SECOND DEGREE-AGREEMENT TO ENGAGE IN FELONY CRIMINAL CONDUCT

Complaint Number: 3099020133  
Case Number: 0006004200 Court: Justice of the Peace Court 20  
Date: 07/28/2000 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0006004200 Court: New Castle County Family Court  
Date: 10/23/2000 Disposition: DISMISSED

004 DE:11:0841:000A:M::A - THEFT UNDER \$1000 (DEPRIVE)

Complaint Number: 3099020133  
Case Number: 0006004200 Court: Justice of the Peace Court 20  
Date: 07/28/2000 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0006004200 Court: New Castle County Family Court  
Date: 10/23/2000 Disposition: DISMISSED

07/27/2000

A-43

Arresting Agency Name: Wilmington PD Arrest Number: 03562  
001 DE:16:4754:000A:M::B - POSSESSION OF A NONNARCOTIC SCHEDULE I CONTROLLED SUBSTANCE-

Complaint Number: [Click to view 3000067595](#)

Case Number: 0008001094 Court: New Castle County Family Court

Date: 08/24/2000 Disposition: FOUND DELINQUENT

[Click To View Sentence Detail](#)

**03/15/1999**

Arresting Agency Name: Wilmington PD Arrest Number: 99000899

**001 WI: :0036:0195:M: - RESISTING/ HINDERING A POLICE OFFICER**

Complaint Number: 3099005863

Case Number: 9903011736 Court: Justice of the Peace Court 20

Date: 03/15/1999 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 9903011736 Court: New Castle County Family Court

Date: 04/08/1999 Disposition: NOLLE PROSEQUI

**02/12/1999**

Arresting Agency Name: TROOP 2 STATE POLICE Arrest Number: 005656

**001 DE:11:0611:0001:M::A - ASSAULT THIRD DEGREE-INTENTIONALLY RECKLESSLY CAUSE PHYSICAL INJURY**

Complaint Number: 0699005909

Case Number: 9901016404 Court: New Castle County Family Court

Date: 04/08/1999 Disposition: FOUND DELINQUENT

[Click To View Sentence Detail](#)

**08/17/1996**

Arresting Agency Name: Troop 6 State Police Arrest Number: 44086

**002 DE:11:0511:0001:M::A - CONSPIRACY THIRD DEGREE-AGREEMENT TO ENGAGE**

Complaint Number: 0696065947

Case Number: 9609003671 Court: New Castle County Family Court

Date: 04/22/1997 Disposition: NOLLE PROSEQUI

**08/17/1996**

Arresting Agency Name: Troop 6 State Police Arrest Number: 44085

**001 DE:11:0840:00A1:M::A - SHOPLIFTING UNDER \$1000 REMOVE GOODS WARES OR MERCHANDISE**

Complaint Number: 0696065947

Case Number: 9609003671 Court: New Castle County Family Court

Date: 04/22/1997 Disposition: ADMISSION

[Click To View Sentence Detail](#)

13:23:06 Pending Complaint Incident Inquiry CJCR200M  
Comp# 3203109360 OJWIJES

Occurred SAT 09/06/2003 Time 1900 Reported MON 09/08/2003 Time 1708  
Location Appleby RD WILTON PARK New Castle 19720 County: NEW CA

Off/Div/Ocr 1 = 2656 /2/01 2 = 3 =

Offense LARCENY - Domestic Related

Statute Literal

Investigator: OJNCKLC OFF CAMP

\*VICTIM\* Seq 001 INDIVIDU Name WALKER KAREN ALICIA

Dob 11/10/1962 Sex F Race B Res Ph (302)395-9165 VIEW ALL CRIMES: -

Addr 118 DUTTON CT City New Castle State DE Zip 19720

Employer SELF EMPLOYED Bus Ph (000)000-0000

Offense LARCENY - Pending -

Statute LITERAL

\*WITNESS\* Seq 001 WITNESS Name WALKER DWAYNE NMN J

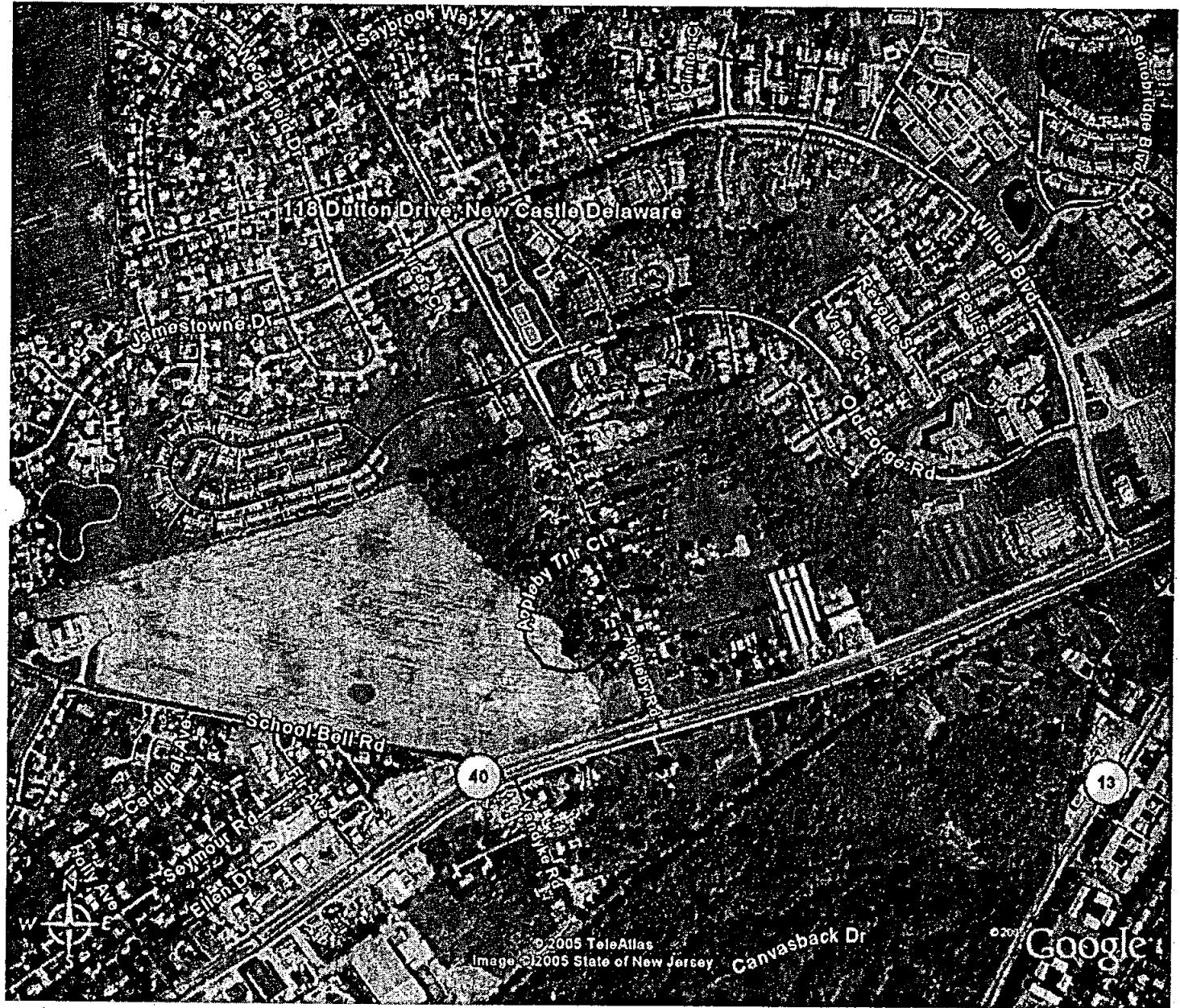
Res Ph (302)395-9165

Addr 118 DUTTON CT City New Castle State DE Zip 19720

Bus Ph (000)000-0000

Relatn

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---  
-- Menu Quit -- -- HIST DOM -- Escp -- -- --



		
<a href="#">DELJIS Menu</a>	<a href="#">Web Searches</a>	<a href="#">Support/Help</a>
License Inquiry On: WALKER,KAREN A		
 <b>DMV PHOTO</b> <a href="#">(View Enlarged Photo)</a>		<span style="border: 1px solid black; padding: 2px;">INCORRECT DATA</span>  If there is a mistake in the record or the information is incorrect, please click <a href="#">Support</a>
		
<b>IDENTIFICATION INFORMATION</b>		
License Number: 1323063 Full Name: WALKER,KAREN A Date of Birth: 11/10/1962 SSN: 190525681 Sex: FEMALE Eyes: BROWN Weight: 145 Height: 5' 4" Address: 118 DUTTON DR EAGLE GLEN  NEW CASTLE , DE 19720		
Vehicle Class: CLASS D Expiration Date: 11/10/2009 Original Issue: 02/09/2000 Permit ID: No Graduated License: No Endorsements: None		
Medical File: No Organ Donor: Yes Restrictions: NONE		
Admin Status: N/A Current Issue: 07/22/2005 Status: VALID Ignition Interlock Device Required: No IID Expiration Date: N/A Dup: 2 Violations: 1 Points: 3		
A-47		
<b>VIOLATION/ACTIONS:</b>		
Date	Court Literal	Conviction Date Points Fine Accident
03/26/2005 PA	4164 A FAILED TO REMAIN STOPPED	04/19/2005 03 \$0.00 No
<b>DRIVER HISTORY:</b>		
Date	Literal	
02/09/2000 LIC SURR/PA-21104451		

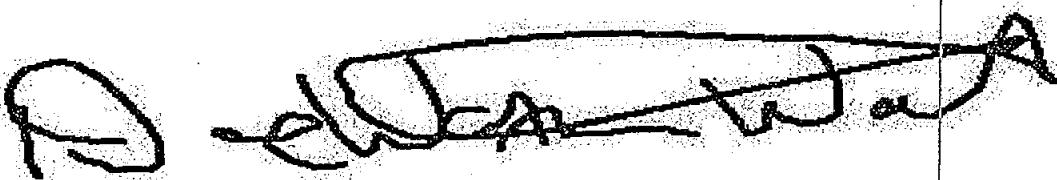
Copyright DELJIS (2003)

05/01/2000 DUP LIC ISSUED PRIOR ISS 02/09/2000

07/22/2005 DUP LIC ISSUED PRIOR ISS 11/30/2004

## DELJIS Web Applications

Page 1 of 2

 <b>DELJIS Web Applications</b> <small>server.deljis.state.de.us</small>															
DELJIS Menu	Web Searches														
Support/Help															
License Inquiry On: WALKER,DEWAYNE SR															
 DMV PHOTO <a href="#">(View Enlarged Photo)</a>															
															
<b>IDENTIFICATION INFORMATION:</b>															
License Number: 1276129 Full Name: WALKER,DEWAYNE SR Date of Birth: 02/26/1966 SSN: 290740225 Sex: MALE Eyes: BROWN Weight: 175 Height: 5'11" Address: 118 DUTTON DR WEDGEWOOD II  NEW CASTLE , DE 19720															
Vehicle Class: CDL CLASS B Expiration Date: 02/26/2008 Original Issue: 10/05/1998 Permit ID: Yes Graduated License: No															
<b>PASS B &amp; C CMV ONLY</b> Endorsements: SCHOOL BUS															
Medical File: No Organ Donor: Yes Restrictions: NONE															
Admin Status: N/A Current Issue: 03/16/2005 Status: VALID Ignition Interlock Device Required: No IID Expiration Date: N/A Dup: 1 Violations: 1 Points: 0															
<b>VIOLATION/ACTIONS:</b>															
<table border="1"> <thead> <tr> <th>Date</th> <th>Court</th> <th>Literal</th> <th>Conviction Date</th> <th>Points</th> <th>Fine</th> <th>Accident</th> </tr> </thead> <tbody> <tr> <td>11/27/1999</td> <td>PA</td> <td>4108 DISREGARD RED LIGHT</td> <td>12/01/1999</td> <td>03</td> <td>\$0.00</td> <td>No</td> </tr> </tbody> </table>		Date	Court	Literal	Conviction Date	Points	Fine	Accident	11/27/1999	PA	4108 DISREGARD RED LIGHT	12/01/1999	03	\$0.00	No
Date	Court	Literal	Conviction Date	Points	Fine	Accident									
11/27/1999	PA	4108 DISREGARD RED LIGHT	12/01/1999	03	\$0.00	No									
<b>DRIVER HISTORY:</b>															
Date Literal															

**PROBABLE CAUSE**

1. Your affiant is Detective Michael Lawson, a police officer with the Wilmington Department of Police who has served in this capacity since January 16, 1989. Your affiant is currently assigned to the Criminal Investigation Division and has served in this capacity since November of 1998. Your affiant has received extensive training in criminal and drug investigations, has authored a number of search warrants, and participated in the execution of numerous State and Federal search warrants.
2. Your affiant can truly state that on 9-13-05, your affiant was assigned to investigate a homicide that occurred in the 1200 block of W. 3rd Street in the city of Wilmington. The Wilmington Police responded to the area of the 1200 block of W. 3rd Street at approximately 14:08 hours in reference to a stabbing. Upon arrival, the police located the victim, later identified as Dewayne Freeman DOB of 2-21-67, with an apparent stab wound to his upper right chest area. The victim was rushed to the Christiana Hospital by paramedics where he was pronounced dead by medical staff.
3. Your affiant can truly state the area was secured by officers and the Criminal Investigations Division was notified and responded to the location to investigate.
4. Your affiant can truly state that your affiant, Detective Michael Lawson, was assigned as the chief investigator and responded to the crime scene to investigate the homicide. This investigation is listed under WPD #30-05-89228.
5. Your affiant can truly state that during the course of the investigation, a cooperating witness, who will be referred to as CW1, was located and interviewed on this date at the Criminal Investigations Division. CW1 witnessed the incident and provided a statement to your affiant. CW1 stated the victim, Dewayne Freeman, was in the 1200 block of W. 3rd Street, at which time he was approached by the suspect, "Weesey". CW1 stated the suspect confronted the victim and accused him of stealing a package of drugs from him. The suspect then approached the victim and stabbed him with a folding pocket-knife. CW1 stated the suspect stabbed him once to his chest area and fled out of the area on foot with the weapon. CW1 described the suspect as wearing a black shirt, black Boston Celtics baseball cap and blue jean shorts.
6. Your affiant can truly state that on 9-13-05, a photo line up was presented to CW1. CW1 positively identified a photo of Dwayne Walker DOB of 12-10-82 as the subject known to CW1 as "Weesey" and as the subject that stabbed the victim, Dewayne Freeman.
7. Your affiant can truly state that on 9-13-05, your affiant signed warrants for Dwayne Walker DOB 12-10-82 in the Justice of the Peace Court #20 for Murder in the First Degree and Possession of a Deadly Weapon during the Commission of a Felony.
8. Your affiant can truly state that on 9-14-05, a past proven reliable informant contacted Detective Jeff Silvers of the Wilmington Police Drug Unit with information as to the whereabouts of the suspect, Dwayne Walker. The informant stated Walker is currently hiding at his mother's house in New Castle and is making plans to flee Delaware.

9. Your affiant can truly state that according to DELJIS Drecords, a Dwayne Walker DOB 12-10-82 with a previous reported incident at 118 Dutton Drive in New Castle.

10. Your affiant can truly state current records with Conectiv Power Company of Delaware show 118 Dutton Drive, New Castle registered to Dwayne Walker. A check on DELJIS currently shows Dwayne Walker Sr. with a current address of 118 Dutton Drive in New Castle.

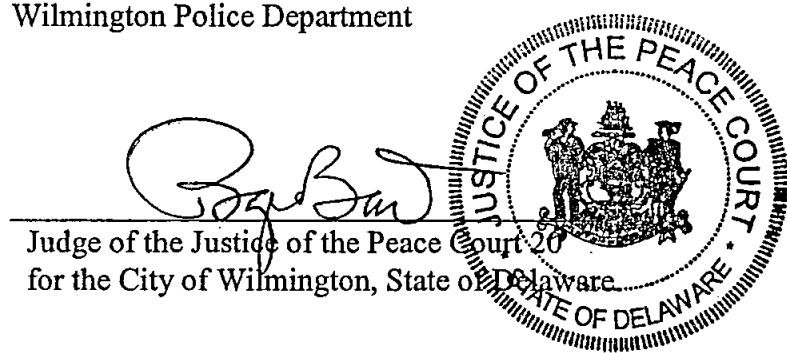
WHEREFORE, your affiant prays that a search warrant be issued authorizing the search of:

**118 Dutton Drive, New Castle, Delaware 19720**

Which is located within New Castle County, State of Delaware in a manner prescribed by law in the daytime hours.

SWORN TO, or subscribed this 14 day of September 2005.

Michael A. L. J.  
Detective Michael Lawson  
Wilmington Police Department



Judge of the Justice of the Peace Court No. 20  
for the City of Wilmington, State of Delaware

S



DELJIS Web Applications

server.deljis.state.de.us

DELJIS Menu | Web Searches | Support/Help

## Charge Summary Inquiry On: WALKER, DWAYNE A



INCORRECT DI

If there is a mis  
record or the Im  
correct, please c  
Support

Date: 9/13/2005      Last Update Date: 08/31/2005  
Token: A0002093

**WARRANT AVAILABLE** - [Click to view Warrant\(s\)](#)

183 \* 618 \* 5168 - chirpr

**IDENTIFICATION INFORMATION:**

[LiveScan/Mugshot\(s\) Available](#) - [Click To View](#)  
No Available DMV Photo

SBI  
Number:

00354596

[View](#)

Driver's License(s):

[DE 1344226 - Click to](#)

(s):

Social Security Number

221-66-8366

Name(s) Used:

01 WALKER, DWAYNE A

Date(s) of Birth:

12/10/1982

Sex: Male   Race: Black   Height: 6'00   Weight: 175lbs  
Eye Color: Brown   Hair Color: Black   Place of Birth:

Current DOC Status: PAROLEE

Current DOC Agency/Institution: P & P WILMINGTON

[Click to view DOC History](#)

[Click to view Address History](#)

Address: 703 W 5TH ST

WILMINGTON , DE 19802 County: Unknown

A-52

**SCARS, MARKS AND TATTOOS:**

Scar--Left Eyebrow

**CAUTIONS, NOTICES, COMMENTS:**

KNOWN TO ABUSE DRUGS

**CHARGE/ARREST DATA:**

Total Reported Arrests: 016      Total Warrants/Capiases: 017

Active Warrants/Capiases: 001

[View Wanted Person Information Click Here](#)[Click to see Executed Warrant Summary Screen](#)

Charge Summary:	Reported:	Convictions:
Felony	011	003
Misdemeanor	020	011
Violation	000	000
Other/Unknown	000	000

**DELJIS CHARGE SUMMARY:****04/01/2005**Arresting Agency Name: New Castle County SUPERIOR Court Arrest Number: WU70501368  
**007 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 04/01/2005 Disposition: VF

[Click To View Sentence Detail](#)**008 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 04/01/2005 Disposition: VF

[Click To View Sentence Detail](#)**03/23/2005**Arresting Agency Name: New Castle County SUPERIOR Court Arrest Number: WU70500590  
**004 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0106020017 Court: New Castle County SUPERIOR Court

Date: 04/01/2005 Disposition: VF

[Click To View Sentence Detail](#)**09/14/2001**

Arresting Agency Name: Wilmington PD Arrest Number: 01003745

**001 DE:16:4751:000A:F::C - DELIVERY OF A NARCOTIC SCHEDULE I  
CONTROLLED SUBSTANCE-****LIO - 16:4753:0000:M:A: - POSSESSION OF A NARCOTIC SCHEDULE I  
COUNTERFEIT SUBSTANCE-**Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

A-53

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON  
PLEAS

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: PLED GUILTY-LESS INC.OFF. OF SEC

[Click To View Sentence Detail](#)**002 DE:16:4767:00A1:F::G - DELIVERY OF NARC SCH I CONTROLLED SUBSTANCE WITHIN 1000 FEET OF SCHOOL**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON

**PLEAS**

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

**003 DE:11:0512:0001:F::G - CONSPIRACY SECOND DEGREE-AGREEMENT TO ENGAGE**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON

**PLEAS**

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: PLED GUILTY ORIGINAL CHARGE

[Click To View Sentence Detail](#)

**004 DE:16:4754:000B:M::B - POSSESSION OF A NON-NARCOTIC SCHEDULE I CONTROLLED SUBSTANCE**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON

**PLEAS**

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

**005 WI: :0036:0094:M: - LOITERING FOR DRUG RELATED ACTIVITY**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: Justice of the Peace Court 20

Date: 09/14/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0109010116 Court: NEW CASTLE COUNTY COURT OF COMMON

**PLEAS**

Date: 09/21/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

**006 DE:16:4751:000A:F::C - POSSESSION WITH INTENT TO DELIVER A NARCOTIC SCHEDULE I CONTROLLED SUBSTANCE**

Complaint Number: [Click to view 3001092820](#)

Case Number: 0109010116 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

09/12/2001

Arresting Agency Name: New Castle County Family Court Arrest Number: WU10101469

**005 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0104015558 Court: New Castle County Family Court

Date: 10/01/2001 Disposition: VF  
[Click To View Sentence Detail](#)

07/17/2001

Arresting Agency Name: New Castle County SUPERIOR Court Arrest Number: WU70104464

**003 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0102003251 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: VFT  
[Click To View Sentence Detail](#)

06/26/2001

Arresting Agency Name: Wilmington PD Arrest Number: 01002589

**001 DE:16:4751:000A:F::C - POSSESSION WITH INTENT TO DELIVER A NARCOTIC SCHEDULE I CONTROLLED SUBSTANCE**

Complaint Number: [Click to view 3001061318](#)

Case Number: 0106020017 Court: Justice of the Peace Court 20

Date: 06/26/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0106020017 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 07/05/2001 Disposition: BOUND OVER, PROBABLE CAUSE

Case Number: 0106020017 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

**002 DE:16:4767:00A1:F::G - DELIVERY OF NARCOTIC SCHED IV CONTROLLED SUBSTANCE WITHIN 1000 FEET OF SCHOOL**

Complaint Number: [Click to view 3001061318](#)

Case Number: 0106020017 Court: Justice of the Peace Court 20

Date: 06/26/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0106020017 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 07/05/2001 Disposition: BOUND OVER, PROBABLE CAUSE

Case Number: 0106020017 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: NOLLE PROSEQUI

**003 DE:16:4767:00A1:F::G - POSS OF NARC SCH II CONTROLLED SUBSTANCE WITHIN 1000 FEET OF SCHOOL**

Complaint Number: [Click to view 3001061318](#)

Case Number: 0106020017 Court: New Castle County SUPERIOR Court

Date: 10/10/2001 Disposition: PLED GUILTY ORIGINAL CHARGE

[Click To View Sentence Detail](#)

05/01/2001

Arresting Agency Name: Wilmington PD Arrest Number: 01001761

**001 DE:11:0611:0001:M::A - ASSAULT THIRD DEGREE-INTENTIONALLY RECKLESSLY CAUSE PHYSICAL INJURY**

Complaint Number: 3001036489

Case Number: 0104015558 Court: Justice of the Peace Court 20

Date: 05/02/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0104015558 Court: New Castle County Family Court

Date: 07/12/2001 Disposition: GUILTY PLEA

[Click To View Sentence Detail](#)

Case Number: 0104015558 Court: New Castle County SUPERIOR Court

Date: 07/12/2001 Disposition: GUILTY ORIGINAL CHARGE

Click To View Sentence Detail

**002 DE:11:0621:00A1:M::A - TERRORISTIC THREATENING-THREAT COMMIT CRIME LIKELY RESULT DEATH/SERIOUS INJURY**

Complaint Number: 3001036489

Case Number: 0104015558 Court: Justice of the Peace Court 20

Date: 05/02/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0104015558 Court: New Castle County Family Court

Date: 07/12/2001 Disposition: NOLLE PROSEQUI

Case Number: 0104015558 Court: New Castle County SUPERIOR Court

Date: 07/12/2001 Disposition: NOLLE PROSEQUI

**003 DE:11:1102:00a4:M::A - ENDANGERING THE WELFARE OF A CHILD COMMITTED CRIME CHILD WITNESSED**

Complaint Number: 3001036489

Case Number: 0104015558 Court: Justice of the Peace Court 20

Date: 05/02/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0104015558 Court: New Castle County Family Court

Date: 07/12/2001 Disposition: GUILTY PLEA

Click To View Sentence Detail

Case Number: 0104015558 Court: New Castle County SUPERIOR Court

Date: 07/12/2001 Disposition: GUILTY ORIGINAL CHARGE

Click To View Sentence Detail

**004 DE:11:0811:00A1:M: - CRIMINAL MISCHIEF UNDER \$1000 DAMAGE PROPERTY**

Complaint Number: 3001036489

Case Number: 0104015558 Court: Justice of the Peace Court 20

Date: 05/02/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0104015558 Court: New Castle County Family Court

Date: 07/12/2001 Disposition: NOLLE PROSEQUI

Case Number: 0104015558 Court: New Castle County SUPERIOR Court

Date: 07/12/2001 Disposition: NOLLE PROSEQUI

02/04/2001

Arresting Agency Name: Wilmington PD Arrest Number: 01000499

**001 DE:16:4751:000A:F::C - POSSESSION WITH INTENT TO DELIVER A NARCOTIC SCHEDULE I CONTROLLED SUBSTANCE**

Complaint Number: Click to view 3001010333

Case Number: 0102003251 Court: Justice of the Peace Court 20

Date: 02/04/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0102003251 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 02/12/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0102003251 Court: New Castle County SUPERIOR Court

Date: 06/11/2001 Disposition: PLED GUILTY ORIGINAL CHARGE

Click To View Sentence Detail

**002 DE:16:4767:00A1:F::G - POSS OF NARC SCH I CONTROLLED SUBSTANCE WITHIN 1000 FEET OF SCHOOL**

Complaint Number: Click to view 3001010333

A-56

Case Number: 0102003251 Court: Justice of the Peace Court 20

Date: 02/04/2001 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 0102003251 Court: NEW CASTLE COUNTY COURT OF COMMON PLEAS

Date: 02/12/2001 Disposition: PRELIMINARY HEARING WAIVED

Case Number: 0102003251 Court: New Castle County SUPERIOR Court  
Date: 06/11/2001 Disposition: NOLLE PROSEQUI

12/12/2000

Arresting Agency Name: New Castle County Family Court Arrest Number: WU10001934

**002 DE:11:4334:0000:M: - VIOLATION OF PROBATION-**

Case Number: 0008001094 Court: New Castle County Family Court  
Date: 01/16/2001 Disposition: DISMISSED

08/14/2000

Arresting Agency Name: Wilmington PD Arrest Number: 77626

**001 WI: :0036:0068:M: - LOITERING**

Complaint Number: [Click to view 3000074200](#)  
Case Number: 0008013073 Court: New Castle County Family Court  
Date: 02/20/2001 Disposition: NOLLE PROSEQUI

07/28/2000

Arresting Agency Name: Wilmington PD Arrest Number: 00002713

**001 DE:11:0824:0000:F::F - BURGLARY THIRD DEGREE**

Complaint Number: 3099020133  
Case Number: 0006004200 Court: Justice of the Peace Court 20  
Date: 07/28/2000 Disposition: TRANSFERED TO ANOTHER COURT  
Case Number: 0006004200 Court: New Castle County Family Court  
Date: 10/23/2000 Disposition: DISMISSED

**002 DE:11:0811:00A1:F::G - CRIMINAL MISCHIEF- OVER \$1500- DAMAGE PROPERTY**

Complaint Number: 3099020133  
Case Number: 0006004200 Court: Justice of the Peace Court 20  
Date: 07/28/2000 Disposition: TRANSFERED TO ANOTHER COURT  
Case Number: 0006004200 Court: New Castle County Family Court  
Date: 10/23/2000 Disposition: DISMISSED

**003 DE:11:0512:0001:F::G - CONSPIRACY SECOND DEGREE-AGREEMENT TO ENGAGE IN FELONY CRIMINAL CONDUCT**

Complaint Number: 3099020133  
Case Number: 0006004200 Court: Justice of the Peace Court 20  
Date: 07/28/2000 Disposition: TRANSFERED TO ANOTHER COURT  
Case Number: 0006004200 Court: New Castle County Family Court  
Date: 10/23/2000 Disposition: DISMISSED

**004 DE:11:0841:000A:M::A - THEFT UNDER \$1000 (DEPRIVE)**

Complaint Number: 3099020133  
Case Number: 0006004200 Court: Justice of the Peace Court 20  
Date: 07/28/2000 Disposition: TRANSFERED TO ANOTHER COURT  
Case Number: 0006004200 Court: New Castle County Family Court  
Date: 10/23/2000 Disposition: DISMISSED

07/27/2000

A-57

Arresting Agency Name: Wilmington PD Arrest Number: 03562

**001 DE:16:4754:000A:M::B - POSSESSION OF A NONNARCOTIC SCHEDULE I CONTROLLED SUBSTANCE-**

Complaint Number: [Click to view 3000067595](#)

Case Number: 0008001094 Court: New Castle County Family Court

Date: 08/24/2000 Disposition: FOUND DELINQUENT

[Click To View Sentence Detail](#)

03/15/1999

Arresting Agency Name: Wilmington PD Arrest Number: 99000899

001 WI: :0036:0195:M: - RESISTING/HINDERING A POLICE OFFICER

Complaint Number: 3099005863

Case Number: 9903011736 Court: Justice of the Peace Court 20

Date: 03/15/1999 Disposition: TRANSFERED TO ANOTHER COURT

Case Number: 9903011736 Court: New Castle County Family Court

Date: 04/08/1999 Disposition: NOLLE PROSEQUI

02/12/1999

Arresting Agency Name: TROOP 2 STATE POLICE Arrest Number: 005656

001 DE:11:0611:0001:M::A - ASSAULT THIRD DEGREE-INTENTIONALLY RECKLESSLY CAUSE PHYSICAL INJURY

Complaint Number: 0699005909

Case Number: 9901016404 Court: New Castle County Family Court

Date: 04/08/1999 Disposition: FOUND DELINQUENT

[Click To View Sentence Detail](#)

08/17/1996

Arresting Agency Name: Troop 6 State Police Arrest Number: 44086

002 DE:11:0511:0001:M::A - CONSPIRACY THIRD DEGREE-AGREEMENT TO ENGAGE

Complaint Number: 0696065947

Case Number: 9609003671 Court: New Castle County Family Court

Date: 04/22/1997 Disposition: NOLLE PROSEQUI

08/17/1996

Arresting Agency Name: Troop 6 State Police Arrest Number: 44085

001 DE:11:0840:00A1:M::A - SHOPLIFTING UNDER \$1000 REMOVE GOODS WARES OR MERCHANDISE

Complaint Number: 0696065947

Case Number: 9609003671 Court: New Castle County Family Court

Date: 04/22/1997 Disposition: ADMISSION

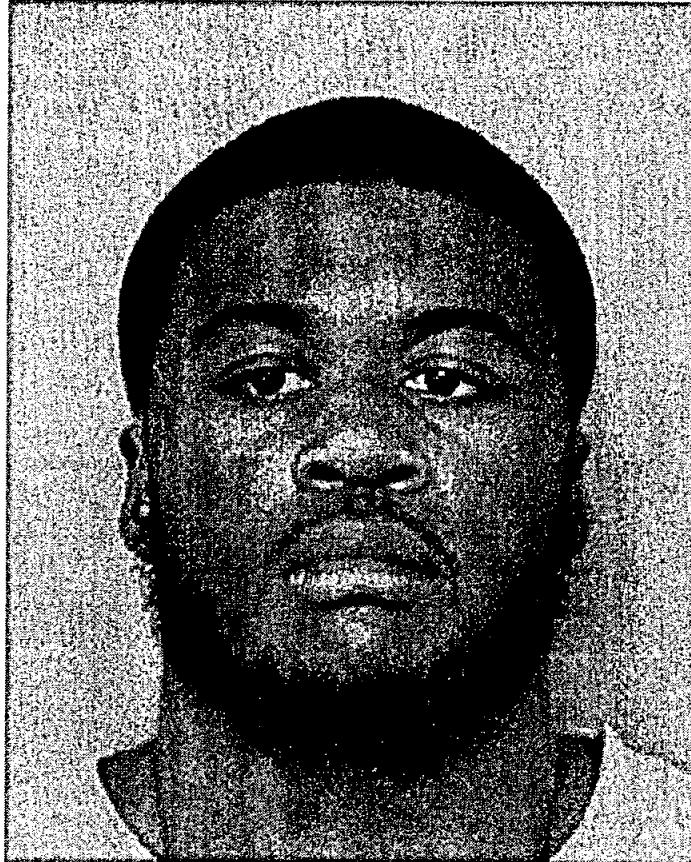
[Click To View Sentence Detail](#)



# WANTED

WILMINGTON DEPARTMENT OF POLICE CRIMINAL INVESTIGATIONS DIVISION

## MURDER 1ST, PDWDCF



**Dwayne Walker**

A.K.A. "Weesey"

A-59

**BMNH-22, D.O.B. 12-10-82, 6' 0", 200 lbs.**

**LKA 507 W. 5th Street**

### **10-39 CONSIDERED ARMED & DANGEROUS**

An arrest warrant is on file for the above subject reference to a Homicide that occurred on 13 September 05. The location of incident was 1200 block of W. 3<sup>rd</sup> Street where the suspect stabbed the victim(Dewayne Freeman). The weapon, believed to be a small folding pocket-knife, has not been recovered. Subject frequents the area of 3<sup>rd</sup> and Franklin Streets.

If located, please contact Detective Mike Lawson at 576-3643/ 247-2755 (pager) or Detective Steve Misetic at 576-3645.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DeWAYNE WALKER, SR, KAREN	:	
WALKER, his wife, D.W., JR., minor	:	
child, and T.W., minor child,	:	
	:	
Plaintiffs,	:	C.A. No. 06-288 KAJ
	:	
v.	:	
	:	
THE CITY OF WILMINGTON, a political	:	
subdivision of the State of Delaware,	:	
DETECTIVE MICHAEL R. LAWSON, JR.,	:	
individually and in his official capacity, and	:	
UNKNOWN ENTITIES.	:	
	:	
Defendants.	:	

**DEFENDANTS THE CITY OF WILMINGTON AND DETECTIVE MICHAEL R.  
LAWSON, JR'S DISCLOSURE PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 26**

Pursuant to Federal Rule of Civil Procedure 26(a)(1), Defendants City of Wilmington and Detective Michael R. Lawson, Jr., submit these initial disclosures based on information reasonably available at the time of submission. Defendants reserve the right to supplement these disclosures and the right to object to any disclosures based on appropriate grounds.

**1. Names of individuals likely to have discoverable information:**

Cpl. Bruce Coffiey	Sgt. Scott Sowden	Lt. Christine Dunning
Cpl. John Ciritella	Sgt. Dennis O'Connor	Lt. William Browne
Det. Matt Hall	Sgt. Alton Rogers	
Cpl. Steve Brock	Sgt. Tom Spell	
Cpl. Scott Chaffin	Cpl. Matt Severance	
Cpl. Bill Gearhart	Cpl. Joe O'Neil	
Cpl. Ralph Hauck	Cpl. Tom Curley	
Cpl. Shawn Gordon	Cpl. Donnie Witte	
Cpl. Gene Solge	Cpl. George Pigford	
Cpl. Dave Simmons	Sgt. Ray Wyatt	
Cpl. Damian Vice	Sgt. Bob Donovan	
Cpl. Jeff Silvers	Cpl. Stephen Misetic	

All above noted individuals can be located at the Wilmington Police Department, 300 N. Walnut Street, Wilmington, DE 19801

The named parties.

“Confidential Informant” whose identity will be disclosed under the terms and limitations of the forthcoming Joint Protective Order.

**2. Documents:**

Law Enforcement Investigative File on DeWayne Walker.

**3. Identification of Experts:**

Defendants have not retained any experts to date, but reserve the right to retain experts and supplement this response accordingly.

**4. Insurance Coverage:**

The City is self-insured.

**CITY OF WILMINGTON LAW DEPARTMENT**

/s/ Alex J. Mili, Jr., Esquire

Alex J. Mili, Jr., Esquire (DE Bar Id. No. 4125)

800 N. French Street, 9<sup>th</sup> Floor

Wilmington, DE 19801

(302) 576-2175

Attorney for Defendants City of Wilmington and Detective  
Michael R. Lawson, Jr.

Dated: July 24, 2006

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DeWAYNE WALKER, SR, KAREN	:	
WALKER, his wife, D.W., JR., minor	:	
child, and T.W., minor child,	:	
:		
Plaintiffs,	:	C.A. No. 06-288 KAJ
:		
v.	:	
:		
THE CITY OF WILMINGTON, a political	:	
subdivision of the State of Delaware,	:	
DETECTIVE MICHAEL R. LAWSON, JR.,	:	
individually and in his official capacity, and	:	
UNKNOWN ENTITIES.	:	
:		
Defendants.	:	

**CERTIFICATE OF SERVICE**

I, Alex J. Mili, Jr., Esquire, hereby certify that on this 24<sup>th</sup> day of July, 2006, I filed Defendant City of Wilmington and Detective Michael R. Lawson's Disclosure Pursuant to Federal Rule of Civil Procedure 26 with the Clerk of Court using CM/ECF which will send notification of such filing(s) that this document is available for viewing and downloading from CM/ECF to the following:

Victor F. Battaglia, Sr.  
 Biggs & Battaglia  
 921 Orange Street  
 Wilmington, DE 19801

/s/ Alex J. Mili, Jr.  
 Alex J. Mili, Jr., Esquire (DE Bar I.D. #4125)  
 Assistant City Solicitor  
 City of Wilmington Law Department  
 Louis L. Redding City/County Building  
 800 N. French Street, 9<sup>th</sup> Floor  
 Wilmington, DE 19801  
 (302) 576-2175  
 amili@ci.wilmington.de.us

**Discovery Documents**1:06-cv-00288-KAJ Walker et al v. City of Wilmington et al**U.S. District Court****District of Delaware****Notice of Electronic Filing**

The following transaction was received from Mili, Alex entered on 7/24/2006 at 2:05 PM EDT and filed on 7/24/2006

**Case Name:** Walker et al v. City of Wilmington et al

**Case Number:** 1:06-cv-288

**Filer:** City of Wilmington

Michael R. Lawson, Jr

**Document Number:** 15

**Docket Text:**

INITIAL DISCLOSURES pursuant to Rule 26 by City of Wilmington, Michael R. Lawson, Jr.  
(Attachments: # (1) Certificate of Service)(Mili, Alex)

The following document(s) are associated with this transaction:

**Document description:** Main Document

**Original filename:** n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1079733196 [Date=7/24/2006] [FileNumber=248442-0]  
[a67bc927962998d63add4a169bb0f1d37ffbfdb2487bf3a8cd2a176a54cb4d297ea6  
732ab63a580fef20cdf9a3359a9b66fca758aa8c16750428f50d2fb6b099]]

**Document description:** Certificate of Service

**Original filename:** n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1079733196 [Date=7/24/2006] [FileNumber=248442-1]  
[172c05e7162a3de7b2a4137cf4169497acf1f915482e76edbddd1140af29c8c79033a  
1699c98ca5122944d1d6d350105069acebf437bce1a494bd34ddbe18b3f5]]

**1:06-cv-288 Notice will be electronically mailed to:**

Victor F. Battaglia , Sr victorsr@batlaw.com, felicia@batlaw.com

Alex J. Mili , Jr amili@ci.wilmington.de.us, dkellam@ci.wilmington.de.us

**1:06-cv-288 Notice will be delivered by other means to:**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DeWAYNE WALKER, SR, KAREN  
WALKER, his wife, D.W., JR., minor  
child, and T.W., minor child,

Plaintiffs, : C.A. No. 06-288 KAJ

v.

THE CITY OF WILMINGTON, a political  
subdivision of the State of Delaware,  
DETECTIVE MICHAEL R. LAWSON,  
JR., individually and in his official  
capacity, and UNKNOWN ENTITIES,

Defendants.

**PLAINTIFFS' ANSWERS TO DEFENDANTS' INTERROGATORIES**

1. State the name and address of each doctor or health care provider with whom each plaintiff has treated for the past 10 years.

**ANSWER** Dr. Richard Morris, 900 Foulk Road, Suite 200, Wilmington, Delaware 19803

Dr. Maria Lazar, 1400 Peoples Plaza, Newark, Delaware 19702

Dr. Carol Tavani, Medical Arts Pavilion, 4745 Ogletown-Stanton Road,  
Newark, Delaware 19713-2070

See Plaintiffs' Rule 26 Disclosures.

2. Prior to the date of the incidents forming the basis of the claims in this lawsuit, has any plaintiff ever received any type of treatment from any type of mental health care provider, psychiatrist, psychologist, social worker, therapist, or counselor. If the answer is yes, as to each period of treatment, state the name and address of the treatment

provider, and the nature and dates of the treatment for each plaintiff.

**ANSWER** No

3. Identify and describe each "act" to which you are referring in Paragraph 21 of the Complaint, noting specifically:
  - (a) which act was committed by which defendant, and
  - (b) which plaintiff(s) was/were the recipient(s) of each act.

**ANSWER** At this point the only individual defendant who has been identified is Defendant Lawson. Plaintiffs reserve the right to supplement this response after discovery. The acts of Defendants referred to include those set forth in paragraphs 1 – 16 of the Complaint and also include: The act of heavily armed officers forcefully entering 118 Dutton Drive, initially shocking and horrifying Karen A. Walker and Tatiana Walker. The act of detaining Karen A. Walker and Tatiana Walker with laser-guided weapons drawn and aimed. The act of surrounding DeWayne Walker, Jr. With laser-guided weapons drawn and aimed. The act of detaining and restraining DeWayne, Walker, Sr. with hand restraints and with laser-guided weapons. The act of interrogating a minor.

4. Identify and describe each "act" to which you are referring in Paragraph 22 of the Complaint, noting specifically:
  - (a) which act was committed by which defendant,
  - (b) which plaintiff(s) was/were the recipient(s) of each act, and
  - (c) Plaintiffs' factual basis for their claim that the acts described in Paragraph 22 were taken against Plaintiffs due to their race.

**ANSWER** 4(a) See answer to 3a above.

4(b) See answer for question 3.

4(c) We believe this act was solely based on the characteristics instead of the evidence. Our race allowed the defendants to override policies, procedures and protocols. The defendants' nonchalant attitudes as well as the negative stereotyping allowed this bias judgment to occur and transpire. The only commonality with the suspect was race.

5. Identify and describe the "physical and emotional stress, harm, anguish, shame and humiliation" to which Plaintiffs are referring in Paragraph 29(a) of the Complaint.

**ANSWER** As a family collectively we have experienced a change in appetite, skin problems, poor memory, mood swings, exhaustion, tension, poor concentration, angry outbursts, isolation, weight loss, insomnia, moodiness, nervousness, anxiety, deterioration of interpersonal relationships, spontaneous crying, hopelessness, resentment, nightmares, hyper-vigilance, always on guard, and feelings of guilt and jumpiness. Our relationships with close neighbors have deteriorated. We also feel very embarrassed. Neighbors have suddenly relocated. The respect once held in our community seems to have decreased.

- See also medical records of Dr. Tavani

6. Identify and describe the each incurred medical expense to which Plaintiffs are referring in Paragraph 29(b) of the Complaint, noting specifically:
  - (a) which Plaintiff incurred which expense;
  - (b) whether each expense has been paid or is outstanding; and
  - (c) for expenses that have been paid, to whom and by whom they were paid.

**ANSWER** See records of Dr. Tavani produced. The expenses are continuing.

7. With regard to Paragraph 33 of the Complaint, please identify:
  - (a) any and all inadequacies in the training to which you are referring, noting specifically what Plaintiffs believe could have made the training adequate, and
  - (b) any alleged injuries that each Plaintiff incurred as a result of the alleged inadequacies identified in sub-section (a) above, and
  - (c) the "supervisors" to whom Plaintiffs are referring in Paragraph 33,
  - (d) which of the said "supervisors" was involved in the raid that is the

subject of this Complaint;

(e) how each said "supervisor" was involved in the raid that is the subject of this Complaint;

(f) how each said "supervisor" directed the raid that is the subject of this Complaint; and

(g) which of these said "supervisors" knew of and/or acquiesced in the conduct of the raid that is the subject of this Complaint.

**ANSWER** A. The inability to select the correct suspect residence display an error in following policies, procedures and protocols. The authorization of the Special Weapons and Tactics team on law-abiding innocent tax paying citizens displays lack of training.

B. Ongoing. See answer to question 5 and 6.

C - G. The only individual as yet identified is Defendant Lawson. Plaintiffs reserve the right to supplement their response after discovery.

8. With regard to Paragraph 38, state Plaintiffs' factual basis for their claim that the acts described in Paragraph 38 were taken by Detective Lawson due to Plaintiffs' race.

**ANSWER** We believe the acts performed against us, the Plaintiffs, were solely based upon the characteristics instead of the evidence. Our race allowed the defendants to override policies, procedures and protocols. The defendants' nonchalant attitudes as well as stereotyping allowed this based judgment to occur and transpire. The only commonality with the suspect was race.

9. With regard to Count IV of Plaintiffs' Complaint, please identify any similarly situated individuals were treated differently than Plaintiffs?

**ANSWER** Objection: This Interrogatory asks for information which by its nature is under the control of Defendants and for information not relevant to all allegations set forth in County IV. Without waiving the objection all persons in New Castle County named Walker.

10. With regard to Paragraph 50, state Plaintiffs' factual basis for their claim that

the City police officers described therein traveled outside of their jurisdiction due to Plaintiffs' race?

**ANSWER** See answer to Interrogatory numbers 4 and 8. Defendant City Police officers broke into Plaintiffs' house which is not in the City of Wilmington.

11. State the length of the time, in terms of hours, minutes, and seconds, for the "unreasonable amount of time" to which Plaintiffs are referring in Paragraph 54.

**ANSWER** Objection: This interrogatory calls for information which should be in possession of Defendant with respect to the amount of time Plaintiffs were detained by Defendants.

12. List and describe every item of "damage to his home" that Plaintiffs are referring to in Paragraph 13 of the Complaint, noting specifically:

- (a) what was damaged,
- (b) whether each item of damage was repaired,
- (c) who made the repairs, and
- (d) who paid for the repairs.

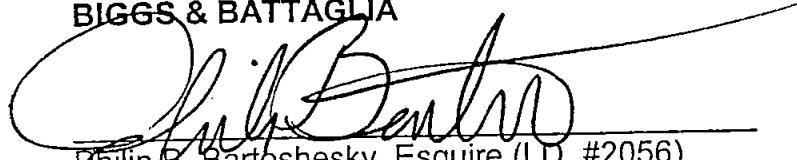
**ANSWER** A. Front Door, front door lock, screen door, entrance hall flooring and furniture, carpet throughout the entire home, attic door and ceiling, railing to the second floor. Walls throughout the

entire home as a result of the doors being opened with excessive force. Miscellaneous and sacred items destroyed in attic.

B. Front door repaired but structure damage doesn't allow door to secure properly.

C. The Plaintiffs' repaired front door and screen door with locks, railing to the second floor damaged was repaired.

BIGGS & BATTAGLIA



Philip B. Bartoshesky, Esquire (I.D. #2056)  
921 N. Orange Street  
Post Office Box 1489  
Wilmington, DE 19899  
(302)655-9677  
[Pbarto@batlaw.com](mailto:Pbarto@batlaw.com)  
Attorney for Plaintiffs.

DATE: September 12, 2006

**WILMINGTON POLICE DEPARTMENT  
CRISIS MANAGEMENT TACTICAL TEAM  
AFTER ACTION REPORT**

**DATE:** 15 Sep 05    **TIME:** 0610    **LOCATION:** 118 Dutton Dr., Bear.

**NATURE OF CALL OUT:** Search/Arrest Warrant for Murder Suspect

**SUPERVISOR ORDERING CALLOUT:** Lt. Dunning

**TIME OF ACTIVATION:** 14 Sep 05

**COMMAND POST: NO:** XXXXX    **YES:** LOCATION:

**CMTT STAGING AREA:** CMTT GARAGE

**CMTT COMMANDER:** N/A

**COMMAND POST COORDINATOR:** N/A

**COMMUNICATIONS TEAM:** N/A

**NEGOCIATIONS COMMANDER:** N/A

**NEGOITIATORS:** N/A

**TACTICAL TEAM**

**CMTT TEAM LEADER(S):** Lt. Bill Browne

**CMTT TEAM MEMBERS AND ASSIGNMENTS:**

Bruce Coffey	Breecher
John Ciritella	Breecher
Matt Hall	UMP/ 1 <sup>st</sup> floor
Steve Brock	Contact/ 1 <sup>st</sup> floor
Scott Chaffin	UMP/ 2 <sup>nd</sup> floor
Bill Gearhart	Contact/ 2 <sup>nd</sup> floor
Ralph Hauck	UMP/ 1 <sup>st</sup> floor
Shawn Gordan	Contact/ 1 <sup>st</sup> floor
Gene Solge	UMP/ 2 <sup>nd</sup> floor
Dave Simmons	Contact/ 2 <sup>nd</sup> floor
Damian Vice	K9/ assist perimeter

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Scot Sowden	UMP/ support 2 <sup>nd</sup> floor
Dennis O'Connor	support 2 <sup>nd</sup> floor
Kyle Rogers	support 2 <sup>nd</sup> floor
Tom Spell	support 1 <sup>st</sup> floor
Matt Severance	support 1 <sup>st</sup> floor
Joe O'Neil	K9/ rear perimeter
Tom Curley	support rear perimeter
Donnie Witte	K9/ front perimeter
George Pigford	support front perimeter

#### SPECIAL INSTRUCTIONS:

Information from detectives indicated that this location was occupied by a subject wanted for a Homicide. The residence was believed to be the residence of the suspect's family. On the day before this warrant, surveillance showed a female and a teenage male coming from the residence. There was also a possibility that there was a small child in the residence.

The raid plan called for the team to deploy in the block and approach the residence from the front. The front door would be the primary entry point. Once breached the team would enter the residence and deploy as assigned and secure the residence. No NFDD's would be used due to the presence of children.

#### OUTCOME:

The team deployed as planned and approached the residence. The front door was found unlocked and the team entered. Team members deployed as assigned and secured the residence. All occupants were compliant and were secured in place. A male was located in the basement who was identified as Dwayne Walker. This was the name of the suspect, however this subject was not the wanted subject. All persons in the residence were T.O.T. C.I.D. There were no injuries reported.

**NOTES:** This was not the residence of the suspect and the occupants were not related.

SUBMITTED BY:

Lt. William R. Browne

## **WILMINGTON POLICE DEPARTMENT**

## **CRISIS MANAGEMENT TACTICAL TEAM**

## ACTIVITY REPORT

NAME: A K Rogers

DATE: 9-15-05

**LOCATION OF CALL:** 118

**ASSIGNMENT:** \_\_\_\_\_

**WEAPON UTILIZED:** \_\_\_\_\_

**SPECIAL EQUIPMENT: (ie., RAM, SHIP'S**

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

## **PROBLEMS ENCOUNTERED:**

## NOTES:

**SIGNATURE:**

WILMINGTON POLICE DEPARTMENT  
CRISIS MANAGEMENT TACTICAL TEAM  
ACTIVITY REPORT

NAME: MATT SEVERANCE DATE: 15 Sept 05  
LOCATION OF CALL: 118 DUTTON DR  
ASSIGNMENT: Hands On  
WEAPON UTILIZED: DEPT ISSUE  
SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
None

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

None

PROBLEMS ENCOUNTERED:

None

NOTES:

None

SIGNATURE: MJS

WILMINGTON POLICE DEPARTMENT  
CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Matthew Hall

DATE: 9/15/05

LOCATION OF CALL: 118 Dutton DR

ASSIGNMENT: 2<sup>nd</sup> Floor MTC

WEAPON UTILIZED: Sub carried, not used.

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

(Sub gun)

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

Dawnyne Walker JR. 15 yr old.

PROBLEMS ENCOUNTERED:

None

NOTES:

None

SIGNATURE: Matthew Hall

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Damian Vice DATE: 9/15/05  
LOCATION OF CALL: 118 Dutton Drive  
ASSIGNMENT: Outside Assistance  
WEAPON UTILIZED: 50. Cal.

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:  
N/A

PROBLEMS ENCOUNTERED:  
N/A

NOTES:  
N/A

SIGNATURE: Damian Vice

**WILMINGTON POLICE DEPARTMENT**  
**CRISIS MANAGEMENT TACTICAL TEAM**  
**ACTIVITY REPORT**

NAME: Donald L. WHITE Jr. DATE: 15 Sept 05  
LOCATION OF CALL: 118 Dutton Dr.  
ASSIGNMENT: K9  
WEAPON UTILIZED:  
SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

## **PROBLEMS ENCOUNTERED:**

## NOTES:

**SIGNATURE:**

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: HACK

DATE: 15 Sept 05

LOCATION OF CALL: 118 DUTTON COURT

ASSIGNMENT: MTC 2ND FLOOR

WEAPON UTILIZED: JHP SUBGUN

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

Cleared Master Bedroom,  
unoccupied.  
\_\_\_\_\_  
\_\_\_\_\_

PROBLEMS ENCOUNTERED:

None  
\_\_\_\_\_  
\_\_\_\_\_

NOTES:  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: Ralph J. Hack

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: William R. Gearhart DATE: 15 SEPT 05  
LOCATION OF CALL: 118 Dutton Dr.  
ASSIGNMENT: 137 Floor Contact / Basement  
WEAPON UTILIZED: N/A  
SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

MADE CONTACT WITH (BM 39) ON CONC IN BASEMENT.  
SUBJECT WAS CUFFED w/out INCIDENT.

PROBLEMS ENCOUNTERED:

N/A

NOTES:

N/A

SIGNATURE: Wm R. Gearhart

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Coffey

DATE: 9-15-05

LOCATION OF CALL: 118 Dutton Dr Somer

ASSIGNMENT: Block 4

WEAPON UTILIZED: 40

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

RAM ~~(NOT USED DOOR UNLOCKED)~~

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

STAYED WITH BF & SMALL CHILD IN LAUNDRY  
ROOM ON 1ST FLOOR. NO FORCE AT  
ALL

PROBLEMS ENCOUNTERED:

\_\_\_\_\_

NOTES:

\_\_\_\_\_

SIGNATURE: BSH

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Dennis O'Connor

DATE: 9/15/05

LOCATION OF CALL: 118 Dutton Dr.

ASSIGNMENT: 2nd Floor Support

WEAPON UTILIZED: 40 cal / TASER

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

n/p

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

n/p

PROBLEMS ENCOUNTERED:

n/p

NOTES:

n/p

SIGNATURE: Dennis O'Connor

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Steve Brock

DATE: 9-15-05

LOCATION OF CALL: 118 Dayton Drive

ASSIGNMENT: 2nd floor

WEAPON UTILIZED: None

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

Taser

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

contacted) lone 15 year old Bm in second floor bedroom. Contacted with verbal commands and was secure without being handcuffed. Tone was conversational and his demeanor appeared to be calm.

PROBLEMS ENCOUNTERED:

None

NOTES:

Note

SIGNATURE: SA Brock

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Joseph O'Neill

DATE: 9-15-05

LOCATION OF CALL: 118 Sutton Dr.

ASSIGNMENT: K9 rear

WEAPON UTILIZED: Sidearm

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

police K9

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

N/A

PROBLEMS ENCOUNTERED:

n/a

NOTES:

n/a

SIGNATURE: Joseph J. Mall

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Pigford DATE: 15 Sep 95

LOCATION OF CALL: 118 Dutton Ave

ASSIGNMENT: Fort security

WEAPON UTILIZED: None

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

No contact

PROBLEMS ENCOUNTERED:

N/A

NOTES:

RPA

SIGNATURE: CDP

WILMINGTON POLICE DEPARTMENT  
CRISIS MANAGEMENT TACTICAL TEAM  
ACTIVITY REPORT

NAME: T. Curley

DATE: 15 Sept 05

LOCATION OF CALL: 118 Dutton Dr.

ASSIGNMENT: Rear Perimeter

WEAPON UTILIZED:

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

N/A

PROBLEMS ENCOUNTERED:

fenced / k9

NOTES:

SIGNATURE: Sgt. Jason Curley

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Sgt. Scott Cuffman

DATE: 15 SEP 05

LOCATION OF CALL: 118 Duron Dr. New Castle

ASSIGNMENT: 1st Floor Contact

WEAPON UTILIZED: UMP-5

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

Proceeded to 1st Floor Living Room & encountered a 8F.  
Secure AF w/o incident.

PROBLEMS ENCOUNTERED:

N/A

NOTES:

SIGNATURE: A.C. [Signature]

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Gore Salas

DATE: 9-15-05

LOCATION OF CALL: 118 Dutton NC, NC

ASSIGNMENT: 15 PL. MTC

WEAPON UTILIZED: UMP 40

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

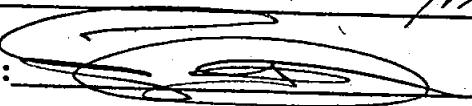
ONE ADULT FEMALE WITH SMALL CHILD FOUND AND SITTING POSITION IN 15 PL LAUNDRY ROOM. THIS OFFICER ASKED HER TO REMAIN CALM AND INVESTIGATOR WAS GOING TO SPEAK WITH HER SHORTLY. SHE CONVED.

PROBLEMS ENCOUNTERED:

NONE

NOTES:

N/A

SIGNATURE: 

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME:

CIRTE Na

DATE: 15 SEPT 05

LOCATION OF CALL:

118 Dutton

ASSIGNMENT:

CmT

WEAPON UTILIZED:

40 cst

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

~~- Thurst, Hollie, (NOT USED)~~

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

NA

PROBLEMS ENCOUNTERED:

NA

NOTES:

SIGNATURE: John Woods

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Sowder DATE: 11/5/07

LOCATION OF CALL: 118 Dutcher Dr

ASSIGNMENT: 2nd Lt. Supervisor

WEAPON UTILIZED: UML

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

None

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PROBLEMS ENCOUNTERED:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Mr

\_\_\_\_\_

\_\_\_\_\_

NOTES:

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\_\_\_\_\_

SIGNATURE: S. Sowder

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: Simmons

DATE: 9/15/05

LOCATION OF CALL: 118 Darrow, New Castle, DE

ASSIGNMENT: 1st Fl., M+C

WEAPON UTILIZED: 40

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
None

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

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PROBLEMS ENCOUNTERED:

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NOTES:

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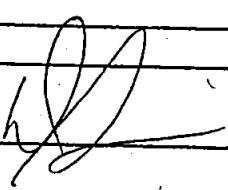
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SIGNATURE: 

WILMINGTON POLICE DEPARTMENT  
CRISIS MANAGEMENT TACTICAL TEAM  
ACTIVITY REPORT

NAME: Shawn Gordon

DATE: 9/15/05

LOCATION OF CALL: 118 DuPont ER

ASSIGNMENT: 2nd Floor MTC

WEAPON UTILIZED: N/A

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)  
AFA

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

N/A

PROBLEMS ENCOUNTERED:

N/A

NOTES:

N/A

SIGNATURE: Shawn Gordon

WILMINGTON POLICE DEPARTMENT

CRISIS MANAGEMENT TACTICAL TEAM

ACTIVITY REPORT

NAME: T. Spell

DATE: 9-15-05

LOCATION OF CALL: 118 Dutton Ave

ASSIGNMENT: 1st fl. Support

WEAPON UTILIZED: 40

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

No Contact. Helped in Bsmnt  
and Cleared unfinished area  
on Right w/ Sevrance

PROBLEMS ENCOUNTERED:

N/A

NOTES:

SIGNATURE: TJS

WILMINGTON POLICE DEPARTMENT  
CRISIS MANAGEMENT TACTICAL TEAM  
ACTIVITY REPORT

NAME: Browne

DATE: 9/15/05

LOCATION OF CALL: 118 Nathan Dr. Barr

ASSIGNMENT: T/L

WEAPON UTILIZED: .40

SPECIAL EQUIPMENT: (ie., RAM, SHEILD, HYDRO TOOL, etc.)

N/A

NATURE / LOCATION OF CONTACT WITH PERSONS INSIDE OF TARGET RESIDENCE:

Encountered BM "Duayne Walker" in Basement. He was secured by Gerhart. He was combact. Lawson responded to basement & confirmed he was not the target. I cut him loose L/T 3 MIN. No other contacts.

PROBLEMS ENCOUNTERED:

None

NOTES:

SIGNATURE: Mark Gau

## **SUMMONSES, ARRESTS, & WARRANTS**

**Directive:** **6.11**

### **A. Authority**

All enforcement efforts undertaken by members of this department will be consistent with all applicable Federal, State and Local laws and ordinances. Members must remain current as to those portions of law authorizing the exercise of police powers and will receive additional training as these laws are amended.

### **B. Uniform Criminal Complaint and Summons**

A summons may, but need not, be issued for any misdemeanor or violation of City Code. Officers must carefully consider the nature of the violation, the character of the offender, and other relevant circumstances in determining whether to issue a summons or physically effect an arrest.

#### **1. Prohibitions to issuance**

A summons will not be issued in lieu of arrest if any of the following conditions exist:

- a. The offense is of such a nature that a threat to the public peace or public safety may continue after the summons is issued.
- b. The subject is a juvenile (under 18 years). Refer to the Directive entitled "Procedures for Dealing With Juveniles" for instruction regarding juvenile arrests.
- c. The subject refuses to supply information necessary to complete the summons.
- d. The subject refuses or is unable to identify himself to the satisfaction of the officer. Some type of positive identification (driver's license, military ID card, etc.) should be obtained and noted in the report.
- e. The subject cannot prove that he is a resident of Delaware.
- f. The subject refuses to sign the summons containing the promise to appear in court.

g. The subject is apparently under the influence of alcohol, drugs or other impairment which renders him incapable of comprehending the terms and conditions of the summons.

## 2. Reporting Procedures

- a. Each incident in which a summons is issued will be recorded in the appropriate departmental report.
- b. The summons will bear the same complaint number as the report.
- c. The victim's name and relationship to the offender will be printed along the left edge of the front of the Court Copy of the summons (white copy).
- d. All witnesses to the incident will be listed on the reverse side of the white copy of the summons, in addition to the incident report and subpoena request form (when appropriate). This list must include the subject's name, home address (including city and state), home telephone number and date of birth. In instances where a business is the victim ensure to include the reporting person.
- e. If the defendant is not taken before a Magistrate immediately a mandatory appearance date will be set by the issuing officer. This date must be more than 14 days from the date of arrest, and will coincide with the officers scheduled day work.
- f. Every block on the criminal summons must be completed (including date of birth, height, weight, eye color, hair color, etc.).
- g. All summonses will be notarized by the House Sergeant and the copies distributed as follows:

White copy	J.P. 20 Court basket
Green copy	J.P. 20 Court basket
Canary copy	Offender
Goldenrod copy	Support Services Division (C.L.U.E.S. Operator)
Pink copy	Officer's records

- h. Issuing officers must inform the defendant that any communications with the Court regarding a change of plea or a request for a continuance must be made no sooner than five days from the date of issuance and not less than six days prior to the appearance date.

3. Special Circumstances

a. Shoplifting

(1) The store employee who witnesses the offense must be listed on all appropriate forms.

b. Marijuana Possession

A criminal summons for possession of five grams or less of marijuana may be issued with the approval of a supervisor. (Five grams are equal to two nickel bags or six joints).

5. Maintenance and Inspection

a. Summons books are supplied by and accounted for by the Records Division, Property Technician. Log books identifying the receiving officer will be maintained and made available for inspection as required.

b. The House Sergeant will maintain a summons log book and will enter the required information for each summons.

c. Corrections/Voidance

(1) Correction

When an error is made a single line will be drawn through the erroneous material, the correct entry inserted, and the correction initialed by the officer.

(2) Voidance

If the entire summons needs to be voided, it will be:

- (a) marked "VOID" across the face;
- (b) attached to a departmental information report detailing the circumstances; and,
- (c) submitted to the Chief of Police for approval. Once approved, the departmental information report, and the summons will be forwarded to the Records Division Property Technician for disposition.

d. Whenever a member separates from the department, the summons book is forwarded to the Records

Division Property Technician who will ensure all summons are accounted for.

C. Arrests

1. Arrests Without Warrant - Observed Incidents

All arrests initiated as a result of witnessed behavior will be based on the exercise of good judgement by the officer. Officers may seek out alternative methods of resolution when possible. The exceptions to this procedure are those misdemeanors specifically addressed by statute. Witnessed felony behavior will in all cases result in arrest.

In all arrests officers will complete an incident report detailing the arrest. An arrest report will be submitted as a supplemental report. The subpoena request form will be completed, as necessary and submitted to the appropriate Court. (For further information regarding completion of these reports refer to Chapter 4.)

2. Arrests Without Warrant - Reported Incidents

a. Misdemeanors

When investigating complaints of civil disagreements which do not possess the potential for escalation, officers are to advise the complainant to respond to the appropriate Court and seek a warrant. Officers investigating incidents of this type are to submit a police report documenting the incident and may include a recommendation as to the issuance of a warrant or a summons.

b. Felonies

All felonies regardless of the victim's desire for prosecution will be recorded by use of a crime report at a minimum. Officers are responsible for the creation of a warrant when the identity of the offending party is known with no discretion on the part of the officer. These procedures apply to all felonies and the specified misdemeanors.

3. Arrest of Subjects on Probation

In all adult arrest situations, the arresting officer is to ask the arrestee if he is presently on probation. If the arrestee is on probation, the officer is to attempt

to determine the arrestee's probation officer, to make contact with the officer and provide the details regarding the arrest. This is to be done regardless of the time of arrest.

If the arrestee acknowledges he is on probation but refuses to identify his probation officer, the arresting officer is to note on the arrest report the probation status. It will be the responsibility of the House Sergeant to compile a list of all arrestee's who are on probation.

The second-shift House Sergeant, will call the Counselor Supervisor of Probation and Parole for Superior Court and inform him of the names and charges of subjects arrested. This office can be contacted Monday through Friday, 0900 to 1630 hours, by calling 571-3448.

a. Assisting Probation or Parole Officers

1). Normal Arrest Procedures:

All officers will assist properly identified parole or probation officers in affecting the arrest of violators within City limits when requested.

Under all circumstances, this arrest will be with either a warrant or a written statement from the probation or parole officer. If a written statement is used, a carbon or machine copy should be attached to the original report. A written report will be made in all instances, even if no arrest is made. The original copy of the statement is to be used as the detainer.

It is not required that those people so arrested appear in court; consequently, they may be transported to the Delaware Correctional Institution by the first available transportation.

2). Parolees/Probationers With Weapons:

(a) When a probation and parole officer encounters a client who is either armed or has a weapon within his control (residence) they will notify this department and request assistance.

Personnel will be dispatched to assist in taking the client into custody, seize the weapon(s) in question and secure it, in accordance with prevailing procedures. Officers will comply with all mandated court procedures.

The probation and parole officer in this instance will continue to follow up with the felony screening unit, as well as the Deputy Attorney General who originally prosecuted the client, for further review. The weapon(s) will either be returned or forfeited, at which point, this Department will receive official notification of the facts and how to dispose of the weapon(s).

#### 4. Photograph and Fingerprint Updating

##### a. Photographs and Remugs:

In order to preserve the continuity of, and ensure that current photographs are maintained in our photo file the following guidelines must be followed.

###### (1) Photographs

When an arrestee is initially processed he/she will be photographed.

- (a) The only identification article permitted in the photo will be the WPD Ident display showing the proper identification number and the date the photo was taken.

The arrestee will remove any hats, glasses, or other articles which could readily identify them.

Should the arresting officer require a photo with a hat, or other identifiable article depicted, then an additional series of photos is permitted.

- (b) All photographs will depict the arrestee looking forward (one frame) and to the left (one frame).

(2) Remugs

Officers will re-photograph all persons arrested for a Class A Misdemeanor or more serious offense.

Additionally, arrestees will be re-photographed, at a minimum:

adults - every four years  
juveniles - every year

The following guidelines will be followed when re-photographing any arrestee:

- (a) the arresting officer will follow the guidelines in (B-4-a-1).
- (b) The arresting officer will then note on the appropriate section of the arrest report the date the photo was taken.
- (c) The arresting officer will complete the information required on the remug clipboard.

b. Fingerprinting:

- (1) Any person who is arrested by this department for the first time will be processed by Identification/ EDU personnel. The only exception would be a person booked on a capias.
- (2) Any person arrested a second or subsequent time will be processed by the arresting officer(s). This processing will consist of (2) two sets of fully rolled Federal Identification Cards. The only exception would be a person booked on a capias, for which right hand pat prints will suffice.
  - (a) After completing the needed information the officer will ink the arrestee's four (4) right fingers and thumb. The arresting officer will press down the inked fingers and thumb onto the lower portion of the card marked right thumb and fingers. The arresting officer will insure the prints are legible. Both arresting officer and arrestee will sign the card in the appropriate blocks.

In cases where the right hand cannot be taken (e.g. amputation, deformity, broken finger), the arresting officer will follow the same procedures using the left hand. In this case, the arresting officer will note in the right hand block the reason for taking the left hand prints.

The card will then be given to the Turnkey with the arrest report. Identification Unit personnel will retrieve the cards from the recid basket in the House Sergeant's Office on a daily basis. The cards will then be compared with the arrestee's original prints. The arrestee's file will be updated and the recid card will then be forwarded to the State Bureau of Identification (S.B.I.).

## 5. Criminal Impersonation

Should identification personnel determine that an arrestee has provided false information the arresting officer will be notified via departmental mail. It will be the responsibility of the arresting officer to sign warrants for the arrestee under his true identity based on the identification unit's information.

## D. Warrants

### 1. Execution of Warrants

All arrest warrants will be executed by sworn law enforcement officers only. In dealing with persons believed to be wanted the officer will confirm the existence of the document through the Data Center. In cases where absolute confirmation is not possible, officers will act on the best information available which could include receipts or other official documents that indicate resolution.

### 2. Rule 9 Warrants

The following guidelines are put into effect:

- a. When an officer seeks to indict a person who has not been arrested on the charge(s), that officer will ensure that the Deputy Attorney General at the intake proceedings is advised of:

- (1) the charge(s)
  - (2) the appropriate case number(s)
- b. When a person is arrested on a Rule 9 warrant, (see section 2 relative to Rule 9 procedure) he shall be booked under the original case number(s) and charge(s). He shall be booked at Magistrate Court.
- (1) If there are multiple charges, there are multiple case numbers; each respective charge and case number will be booked on a separate arrest report.
  - (2) Also, each officer shall write in the body of the arrest report, "subject arrested pursuant to Rule 9 warrant issued on (date).
- c. When an officer arrests a person on authority of a Rule 9 warrant, the original charges of which stem from another jurisdiction (i.e., Delaware State Police, New Castle County Police, etc.) The officer shall transport the individual to Central, where he will be held for the proper authorities to respond and take custody. A miscellaneous report of the incident shall be submitted and the House sergeant shall enter such prisoner in the House Sergeant's book along with a disposition.
- Except in the case of a Rule 9 warrant, where original charges stem from the Office of the Attorney General, the prisoner will be processed by this Department as a normal arrest, indicating the specific charge of the warrant, and in the body of the report, "for further information, see investigative report of the Department of Justice," and that the arresting officer is not needed in court. The defendant shall then be taken before a judge or court commissioner of the Municipal Court or the nearest available Justice of the Peace for bail hearing. On the Rule 9 warrant, there shall appear a Department of Justice complaint number and said number will be placed in the body of the report. The booking officer shall draw a new complaint number for the arrest.
- d. When an officer arrests a person on authority of a Rule 9 warrant for failure to appear in answer to a summons, the officer shall book the arrestee on the charge of a "capias - Rule 9", and hold the individual for Superior Court. A new case number will be drawn from the Communications Division in

this event. In accordance with Superior Court rules of criminal procedure, the arrestee can be brought before Municipal Court for bail.

### 3. Rule 9 Warrant Procedure (General)

The Rule 9 Warrant is, in effect, the same as any other warrant processed by the Department of Police. The major difference found in a Rule 9 warrant, as opposed to others, is that it issues from action initiated by the grand jury, rather than Magistrate Court.

Under Rule 9, a warrant will be issued for two reasons only:

- a. The individual is charged and indicted for a crime for which he has not been arrested.
- b. The individual, having been summoned to appear after indictment, failed to do so and warrant for his arrest is issued.

**Example A:** John Doe has a warrant issued against him, on a charge of theft, from the Magistrate's Court. When picked up, John Doe is booked on a charge of theft, not on a charge of Magistrate Court warrant.

**Example B:** John Doe is indicted by the grand jury on a charge of theft, and a Rule 9 warrant is issued for his arrest. When he is apprehended, he is booked on a charge of theft, not a charge of Rule 9 warrant.

**Example C:** If John Doe was arrested for theft by a member of this department and at the preliminary hearing the charges were dismissed or nolle prossed, but the arresting officer pursues the charge to the grand jury and obtains a true bill indictment, a Rule 9 summons will be issued for John Doe.

If John Doe does not appear in answer to the summons, then a Rule 9 warrant for failure to appear will be issued for his arrest. This person when arrested would be booked on a charge of capias, not a charge of Rule 9 warrant.

All personnel are reminded that whenever a person is booked pursuant to a Rule 9 warrant, the original charge will be entered in Block 15 of the arrest report.

Additionally, an indication of a Rule 9 warrant will be entered in that block or in the continuation of the information for Block 15 in the body of the report. (Example: burglary 1st (Rule 9)).

4. Warrant Service for Outside Agencies:

- a. Whenever an outside police agency requests assistance in serving a warrant in the City of Wilmington, we will dispatch a unit to assist, but the outside agency will make the actual arrest.
- b. If an outside agency requests that we serve a warrant, we will comply under the following conditions:
  - (1) the name and position of the requesting officer will be recorded on the complaint; and
  - (2) the Communications Unit will verify that the officer is a member of the requesting agency. This verification will be obtained either by calling the agency or other method that will provide reasonable cause to believe that such warrant does exist. This verification should include calling the Data Center of the requesting agency to verify that they have a warrant.
- c. Should an apprehension be made on a subject wanted by any outside agency, other than New Castle County Police, the prisoner will be transported to Central and held for that agency. The apprehension and transport of the prisoner will be recorded on a crime report classified as "Assist Other Authority."
- d. Whenever a member has occasion to exercise an arrest stemming from the New Castle County Police, that officer will immediately transport the prisoner to New Castle County Police headquarters on Route 13, and turned the prisoner over to them.
- e. In all such circumstances, an incident report will be submitted stating; the name of the arrestee, the time and place of arrest, the time that the prisoner was turned over to the County Police, and the name of the county officer receiving custody.
- f. Whenever New Castle County Police arrest an individual stemming from the Wilmington Police, that County

officer will transport his prisoner to Central, where he will be turned over to the Turnkey. It shall be the responsibility of the Turnkey to write the necessary arrest report noting the name of the County officer who made the apprehension or delivered the prisoner.

#### 6. Affidavit of Probable Cause

The Delaware Supreme Court has mandated that an affidavit of probable cause be submitted in all arrest or warrant situations. The affidavit must contain information sufficient to establish that a crime was committed, and how the named suspect was identified as the alleged perpetrator of the crime. All personnel are reminded that the affidavit is to be submitted in all arrest situations including in-presence felony and misdemeanor arrests, out-of-presence A.O. felony arrests and warrant requests. One affidavit of probable cause can be used to support several charges arising out of the same incident.

#### 7. Arrest for Family Court Capias and Warrant

- a. Whenever a subject is arrested for a Family Court capias or Family Court warrant, the subject will be transported to Central and booked on this charge. If this arrest takes place during court hours, the subject will be transported and released to the court immediately following the booking procedures.
- b. During those times when the Family Court is closed, a bail hearing will be held in Magistrate Court either in person or via the video-phone.

#### 8. Arrest for Superior Court Capias

All Superior Court capias, regardless of the original arresting agency, will be processed and maintained electronically. The following guidelines will be utilized by members of the Department:

- a. All subjects taken into custody on a Superior Court capias for the Delaware State Police and other local departments will be transported to our headquarters, and held for the appropriate agency. Those for the New Castle County Police Department will be transported to County headquarters.
- b. Subjects taken into custody on Superior Court capias, wherein our Department is the originating agency, will be brought to headquarters. The Data Clerk will confirm the existence of the capias ar

will make a printout of the computer entry for the arresting officers.

- c. The subject will be booked accordingly. If no other charges are being placed, then the defendant will be either turned over to the Sheriff's office when Superior Court is in session, or bail will be set through the appropriate Magistrate Court, either in person or by video-phone.
- d. If the defendant is transported to any Magistrate Court, the officers will maintain custody of the defendant at that Court during the arraignment, setting of bail, and commitment to the department of Corrections if bail cannot be obtained by the defendant. At no time will custody be transferred to a constable.
- e. All of the action taken by the arresting officers, including; where the defendant was transported, whether they were committed in default of bail, and if so the correctional facility turned over to, will be listed on the report.

#### 9. J.P. Court #18 (MPCJF) Guidelines

- a. The following guidelines have been established by J.P. Court #18 located at the Gander Hill Multi-Purpose Criminal Justice Facility. These procedures are to be followed when transporting subjects to Gander Hill due to felony arrests, and when custody is being transferred to the Department of Corrections.
- b. In an attempt to return police officers to active duty, it is not mandatory that they appear in court for bail setting and initial appearance. However, the court must have the following documents relevant to each case:
  - (1) - Arrest Report
  - (2) - Probable Cause sheet
  - (3) - Affidavit
  - (4) - Complaint or Warrant for each offense
  - (5) - Charge Summary sheet (see example)
  - (6) - Bail Hearing form (Officers are encouraged to make recommendations regarding the amount of bail requested.)
- c. For W.P.D. on-site arrests (A.O.) the complaint/warrant signed by the officer, which accompanies the arrest report, is sufficient. After turning the defendant over to the custody of the Department of

Corrections, officers will leave the sally port and park their vehicles in the general parking area and proceed to court through the public entrance. At this point, the officers will deliver the appropriate reports to the Clerk of J.P. Court #18.

#### 10. Automated Warrant/Capias Procedures

The "automated warrant/capias system" is to be used to complete all AO arrests and warrants through the CJIS System.

It is important that set procedures are followed when generating warrants/AO's. Following the below steps in their proper sequence will enhance arrest procedures and therefore expedite the entire arrest process.

##### a. SECURING THE PRISONER

- 1) Search and secure prisoner's property.
- 2) Fill out a recidivist card and take the prisoner's fingerprints.
- 3) List all charges and get necessary information for the arrest procedure.
- 4) Make sure the turnkey accepts custody of the prisoner before leaving the cellblock area.

##### b. NOTIFYING THE HOUSE SGT.

- 1) Before responding to the "warrant room", notify the House Sgt. that you have an arrestee giving the proper number of charges.
- 2) Obtain an arrest number from the House Sgt.
- 3) Check for outstanding warrants through the CJIS system and Data Center.

##### c. AO/Warrant Procedures

- 1) Follow steps in the CJIS System Manual and complete all inquiry screens prompted by the system.
- 2) The system will then print the appropriate documents both in the Warrant Room and the Court.

d. POST WARRANT/ARREST PROCEDURES

- 1) With your copy of the warrant/AO respond to the court for signature.
- 2) In the event that the court's copy of the warrant was lost through the phone line, an extra copy can be made of the warrant.
- 3) Deliver the signed copy of the warrant to the House Sgt. which shall be attached to the computer generated arrest report.

e. COMPUTER GENERATED ARREST REPORTS

The computer generated arrest report contains all required information with two exceptions;

- 1) Officers are to place the case number in the top right hand corner of the arrest report.
- 2) Officers are to place the prisoner's right thumb print on the bottom right hand corner of the reverse side of the report. The officer taking the print shall place his initials next to the print.

There are several blocks that need to be filled out in long hand as they are not addressed by computer information.

f. DOWN TIME/SLOW RESPONSE/ASSISTANCE

Should an officer attempt to use the CJIS system and the computer is down, or if the system goes down during operation, the following steps shall be adhered to;

- 1) Contact the Deljis Help Desk at 1-739-4856, use this number for assistance on automated warrant/arrest problems, and error messages with instruction to call Deljis.
- 2) Contact the DSP Message Switcher at 1-739-5851, use this number for assistance when there is a slow/no response time.

NOTE - both of these numbers are located on the computer monitors.

If Deljis or the Message Switcher advises that the system will be down longer than 15 minutes, or if the

problem is not corrected within 15 minutes, the officer will escape from the system and proceed in the previous manner of writing out the arrest in longhand.

NOTE - Should an officer not be able to use the system due to the system problems the officer will fill out the CJIS Log Book located in the House Sgt.'s Office. The officer will note the reason the warrant was not completed by use of the CJIS System. It will be the House Sgt.'s responsibility to ensure that the aforementioned procedures are complied with.

All officers are responsible for scheduling their own intakes using the CJIS System. When the system is down, the officers will be responsible in contacting the Felony Intake Unit and scheduling his/her intake by telephone.

11. For additional information regarding the completion of arrest reports refer to Directive 4.2.

#### E. Interaction with the Criminal Justice System

##### 1. Magistrate Court

In all circumstances where an individual is charged with a misdemeanor or violation, either by physical arrest or the issuance of a summons, the arresting officer may during normal court hours, transport the subject directly to Magistrate Court 20 for arraignment. At that time the defendant will enter a plea. Should the individual plead guilty, appropriate sentencing will occur. The defendant may elect to plead not guilty and will be advised of their right to a jury trial in the Court of Common Pleas or continued action in the Magistrate Court. If the defendant decides to remain in the Magistrate system, a trial date will be set and the arresting officer will be responsible for prosecuting the case to its resolution.

During those times when Magistrate Court 20 is closed, bail hearings for all in-custody defendants will be when approved by the judge, conducted by video-phone with the appropriate Magistrate Court.

##### 2. Court of Common Pleas

The Court of Common Pleas has jurisdiction over those misdemeanors which the defendant requests be so transferred, as well as preliminary hearings for all felonies.

charges. Prosecution of cases is coordinated with a Deputy from the Attorney General's Office.

- (a) A defendant who requests misdemeanor charges be heard in the Court of Common Pleas will reach resolution in this court.
- (b) When a defendant appears for a preliminary hearing of felony charges the case will either; be forwarded to the Superior Court, be concluded by a plea agreement, or the charges may be dismissed.

3. Superior Court

The prosecution of all cases forwarded to the Superior Court for adjudication will be directed by a member of the Attorney General's Office.

All personnel receiving a subpoena from any court will adhere to the established policy detailed in the directive entitled "Procedures for Appearing in Court and Felony Intake."

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DeWAYNE WALKER, SR, KAREN	:	
WALKER, his wife, D.W., JR., minor	:	
child, and T.W., minor child,	:	
	:	
Plaintiffs,	:	C.A. No. 06-288 KAJ
	:	
v.	:	
	:	
THE CITY OF WILMINGTON, a political	:	
subdivision of the State of Delaware,	:	
DETECTIVE MICHAEL R. LAWSON, JR.,	:	
individually and in his official capacity, and	:	
UNKNOWN ENTITIES.	:	

**CERTIFICATE OF SERVICE**

I, Alex J. Mili, Jr., Esquire, hereby certify that on this 22<sup>nd</sup> day of June, 2006, that I filed the Appendix to Defendant's Opening Brief in Support of Their Motion for Summary Judgment Vol. I with the Clerk of Court using CM/ECF which will send notification of such filing(s) that this document is available for viewing and downloading from CM/ECF to the following:

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Biggs & Battaglia  
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Wilmington, DE 19801

/s/ Alex J. Mili, Jr.  
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